

## **THE CHALLENGES OF STATE/LOCAL GOVERNMENT CREATION IN NIGERIA: A CRITICAL ANALYSIS**

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### **ABSTRACT**

*The study examines the nature of Nigerian state; investigate the politics of local government creation; assess the challenges of local government creation; and proffers remedial action for future agitation for local government creation in Nigeria. The study utilized data collected from the local government officials, employees and grassroots people through interviews to determine people's views on local government creation in Nigeria. The findings revealed that in most of the world, local governments are seen as catalyst for rural development but in Nigeria, local governments are seen as appendage with no discretionary power. The paper concluded that ethnicity among other socio-political issues has a lot of implications for the Nigerian project.*

**Key Words:** Local Government, Politics, Governance and Development.

### **Introduction**

The politics of local government creation in Nigeria is as old as the country itself. The Nigerian State was a product of 1914 amalgamation of Northern and Southern protectorates by Lord Lugard. There were no concrete objective criteria for the amalgamation except for the administrative and exploitative tendency of the colonial powers. As a result, there was no consideration for cultural affinity, none for geographical contiguity, despite the natural and geographical separation by two of Africa's giant rivers, River Niger and River Benue with its confluence at Lokoja (Familoni, 2005).

The process of creating local governments was an extension of Frederick Lugard's concept of amalgamation of the north and south of Nigeria. It was at that time that the seed of regionalism was planted but only slowly germinated. Creation of local government was conceived as devolution of power to enable full political participation of individual ethnic configuration to take place. It was indeed seen to open avenues for effective geo-political alignment which was needed to allay the inhibited fears of domination that many ethnic groups nursed against themselves. It is important to note that the notion of decentralization came into fruition through the creation of local governments as evidenced in 1914, when North and South were amalgamated.

It is important to note that agitations for decentralization in the form of creating new local government council areas pre-dated the political independence of the nation in 1960. Despite these agitations, at independence, Nigeria had three major regions (Northern, Eastern and Western Regions) and a 'Federal Capital Territory' of Lagos. Since independence, and especially during the military era, creating local government areas had become enormously popular in the country as a means of redressing the imbalance in socio-economic development among the component units of Nigeria (Sanni, 2010). In 1976, 301 local governments were created, 449 local governments in May 1989, 500 local governments in August 1990, 589 local governments in September 1991, 768 local governments in October 1996 and increased steadily to 774 by 1999. One of the major assumptions was that the local governments need to meet the challenges posed by diversity in Nigeria (Aborisade, 2006). To date, the three regions at independence have been partitioned into thirty-six states and a 'federal capital territory', and seven hundred and seventy-four Local Government Areas. Despite these, the tempo of clamours for new states and Local Government Areas remained very high throughout the nation.

The objective of this chapter therefore is to examine the nature of the Nigerian state and the politics of local government creation. The chapter also discusses the nature and the challenges of local government in the fourth republic with special reference to Lagos state. While the rest of the chapter proffers remedial actions for future agitations for local government creation in Nigeria.

## **Conceptual Explanations**

**Politics:** Politics is a pervasive human endeavour that prevails in all spheres of life that is as old as human history. Given the nature and character of politics, it has witnessed a plethora of definitions. Politics has been understood differently, as the art of government or as what concerns the state, as the conduct and management of public affairs, as the resolution of conflict through discussion, bargaining and compromise, as well as power distribution and use of resources in society (Arowolaju and Omolayo, 1987). David Easton (1965) defined politics as the authoritative allocation of values in the society. Austin Ranny sees politics as a process of resolution of conflict in a society. Harold Lasswell on his part says politics is who gets what, when and how (Easton, 1965).

Politics is seen as controversy, a process of resolution of conflict through discussion, bargaining and compromise. For Max Weber, politics is the operation of the state and its institutions. Politics for him means striving to share power or striving to influence the distribution of power among individuals and groups within a state. Politics is found wherever power relationships or conflict situations exist, which means that the political scientist can legitimately study the politics of a labour union or cooperations, religious organizations, as well as what goes on in a legislature or administrative agency (Oladoyin, 2012).

In a nutshell, politics can be said to refer to all the issues and events that involve the struggle for acquisition and use of power and all the benefits and resources it confers. Politics, therefore deals with the State and the political society, that is, a people organized for law within a definite territory.

**Local Government:** Local government is an institution of governance created to provide and sustain infrastructural development in rural area. Local government is an institution whose operations address the needs and aspiration of the citizenry and also extends the administrative and political control to the community (Wanjohi, 2003 cited in Samihah and Salihu, 2012). To Keith (2002), local government can be defined as a sub-national level of government which has jurisdiction over a limited range of state functions, within a defined geographical area which is

part of a larger territory. It refers to the institution, or structures, which exercises authority or carry out governmental functions at the local level. Local government has been defined as “government by the popularly elected bodies charged with administrative and executive duties in matters concerning the inhabitants of a particular district or place” (Appadorai, 1975).

According to the 1979 Local Government reform hand book which defined Local Government as Government at the local level exercised through representative councils 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 and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as complement the activities of the state and federal government in their areas, and to ensure, and through devolution of functions to these councils and through the active participation of the people and their traditional institutions that local initiatives and response to local needs and conditions are maximized (Ogunsola, 2009).

Conceptually, and on a political level, the local government involves participation in the governing process at the grassroots level. This implies legal and administrative decentralization of authority, power and personnel by a higher level of government to a community with a will of its own, performing specific functions as within the wider national framework. Local government enables services by local importance only to be locally administered. It provides education in citizenship, training in political leadership, make available to the federal government information about localities, which is essential for adequately meeting their needs efficiently, and minimizes concentration of political power by diffusing it. These values according to Gboyega (1987) promote development of a democratic climate.

### **The Nature, Character of Nigerian State and its Politics**

Nigeria is a plural society with different cleavages – ethnic, religious, cultural, linguistic, as well as geo-political, social and economic development – but ethnic heterogeneity is inarguably, the most pervasive of them all. The problem ethnicity poses is that political competition and access to power is overtly drawn along ethnic lines. Again, since Nigerian federalism is based on ethnic

and not geographical diversities, it has tended to exacerbate centrifugal forces in the country. Therefore, the struggle for acquisition and access to power in Nigeria has been patterned largely along ethnic lines. This becomes more problematic because the State is not a neutral force in mediating political conflict. It can be captured and used to further the interests of the leadership of an ethnic group or a combination of such groups (Vande, 2012). Ethnic pluralism in Nigeria has more often than not been characterized by contestations and struggles for access to power and the resources of the Nation-State. Nigeria has therefore become a “cake” to be shared among the various nationalities, while nobody cares about the baking of the cake. The ethnic factor which initially ignited the demands for States and local government creation has continued to torment the country. Thus, ethno-regional interests are usually mobilized to campaign for States and local government creation and development and these agitations have been persistent and seemingly endless.

The roots of Nigeria’s politics are well entrenched in its colonial history. The main elements in the country’s socio-economic and political fortune and misfortune, as argued in several scholarly works, have helped to establish that the probability of Nigeria’s existence, in its present form, is quite low if not for the superior fire power and diplomacy of the colonialists. This, they attributed to the existence of diverse ethnic nationalities, which were forcefully amalgamated in 1914. In essence, the colonial state and its successor had no legitimating ideals. It was, therefore, not surprising that authoritarianism became its major defining character (Yagboyaju, 2011).

The Nigerian State was founded on a false premise of oneness for the purpose of exploiting her resources. The implication of this is that the Nigerian State is a product of force union. The historical circumstances of her emergence make her an amalgam of divergent people with divergent language, culture, values and beliefs. It is an irony of history that from the moment of amalgamation in January 1914 to date, attempts are still being continuously made to wedge together the divergences so as to have a united, unified and cohesive State. It could also suffice to say that ethnic crisis is a fundamental problem in Nigeria and any attempt to solve it cannot ignore the circumstances that led to the antecedent of Nigerian State as an artificial entity (Kolawole, 2004; Familoni, 2005).

Nigeria operates a federal system of government comprising three levels of government viz: the federal, the state and the local governments. The idea of a federal system presupposes that the different tiers of government are coordinate and independent in their sphere of functional jurisdiction. In Nigeria, there are thirty-six states and seven-hundred and seventy-four local governments. Local governments are perhaps the most relevant government to the local people given the fact that it is the closest to the grassroot: a most effective conduct for the public's problem. However, the dependence of Nigerian local governments on external grant jeopardizes the imperative for capacity building initiatives (Agboola, 2009).

In contemporary Nigeria, this practice of social closure is carried on with little or no restriction because the actors have, more than ever before, seized the machinery of the state for their own interest (Yagboyaju, 2011). Within the Nigeria political system local government constitutes the third tier of government. Consequently, it is assigned certain specific functions and responsibilities which together contribute to the socio-economic development of the society. However, in order to be able to do this, it needs effective and efficient manpower. Not only must the manpower have requisite knowledge and skills, they must also be sufficient in number and in the right means in order to be able to perform the varied functions and responsibilities of local government. The manner in which the Local Government Service Commissions are constituted does not make for either adequate representation of the local government of the body or the autonomy of the Commission vis-à-vis the state governments. It has been suggested that the local government service commissions should be entrenched in the constitution as a statutory body in the same way as other public service commission (Oladoyin, 2012).

Given this background, Nigerian politics is primarily ethnic politics and certain primordial identities inevitably determine political affiliations and inter group relations. There has therefore, been inter-ethnic rivalry to secure the domination of government by one ethnic group or combination of ethnic groups to the exclusion others (Joseph, 1999). One of the unresolved fundamental problem that is confronting Nigerian State since her independence in 1960 is the continued agitation for creation of more local governments. Despite the fact that the country has been restructured six times, agitation for the creation of new local governments has persisted and

intensified up till date. With 774 local government councils, the polity is still littered with agitation for more local government councils under the pretext of bringing government closer to the population.

The foregoing explanations on the nature of the Nigerian state and its politics can be summarized in two parts. These according to Egwu (2006) and Yagboyaju (2008) include; ethnic consciousness and, by extension, ethnic politics is mostly exploited by the modern day Nigerian political class for its own selfish interest. In the second place, these activities of transactional and predatory political and economic leaders are possible largely because of the weak nature of the state, especially exemplified by its rapidly eroded autonomy and functionality. Furthermore, the second point explains why the “beneficiaries of the state’s loss of its moderating role” may never willingly work for its restoration, as the weakening effects of their activities on the democratization process clearly show

### **The Politics of Local Governments Creation in Nigeria**

Nigeria is a federal state, by federation its means there is division of powers between the three tiers of governments (federal, states and local governments). The constitution of the Federal Republic of Nigeria reposed powers for the creation of local government in the hand of state governments but subject to recognition by the National House of Assembly. Apata (2011) observed that the reasons for creation of local government in any country include economic viability, bringing people of the same culture and for socio-political development.

There have been continuous calls for more local governments in Nigeria, as the National Assembly prepares to amend the 1999 Constitution. The agitators for more local governments argue that local government creation will bring development closer to the door-steps of many Nigerians.

The agitators for local government creation also maintain that such an exercise will create an opportunity for the marginalized people or ethnic groups to have access to power. In their argument, the Federal Executive Council is rested on the number of States in existence, and that

most times decisions are democratically reached by the body through votes. This will therefore give some regions or ethnic groups more weight in their bargain for the allocation of values. They also maintain that by creating new bureaucracies, it will give mass employment to youths and other qualified graduates (Vande, 2012).

Furthermore, the creation of local governments has always been influenced by political rather than developmental considerations. Local government creation in Nigeria remains entirely an elite affair. It is an enterprise controlled, prosecuted and employed by the elite for the satisfaction of elite desire for power and relevance and all the appurtenances that go with that.

Local government creation has not only failed to solve the problem of ethnic minorities or even the ethnic majorities, but it has also become a veritable tool with which a string of unitarist leaders have dealt a fatal blow to the Nigerian Federalism. In other words, successive Nigerian leaders, driven by the desire to privatize political power with the attendant primitive accumulative tendencies, have systematically undetermined the structure of the Nigerian Federal system by creating local governments in an exercise designed as it were to weaken the so- called federating units, vis-a-vis the central government.

It is the concern and worry of many Nigerians that most of the present 774 local governments in Nigeria are economically unviable. The unviable status of the extant States has therefore vitiated the argument for more local governments. All local governments depend on the federation account to survive, and this dependent nature of local governments makes them subordinate to the Federal centre and negates the Federal principle of local autonomy.

It is important to note that each successive creation of local government beginning from 1976 has been done by federal military governments. In 1976, it was the Obasanjo administration, in 1991 Babangida administration, in 1996 it was Abacha administration and in 1999 it was Abubakar administration. This shows that the creation and spatial delineation of local government territories just like state government territories, did not have advantage of democratic processes.

### **Local Government Creation during the Fourth Republic**

Before the adoption of federalism as a system of government in Nigeria, colonial system of local government administrator was the order of the day. Borrowing from the system in the colonizing country, the British colonial authority leaned heavily on unitary system of government as a model for running this newly created nation state. The formation of government in Nigeria thus began with development of local government; the second republic witnessed the test of Nigeria's federalism regarding territorial relationship between the states and local governments. Constitutionally, the states are supposed to create local governments and the due process for doing so are equally laid down by the constitution, since 1976 local administration has successfully created any local governments were abolished when the military took over power in 1983 (Ogunsola, 2009).

According to Maduagwu (2003), the return to civil rule in 1999 threw up a serious debate as to which level of government has the constitutional power to create local government. Lagos State created more local governments, but Federal Government refused to recognize them, insisting that creation of local government requires constitutional amendment by the National Assembly. Due to politics and other reasons many state governments embarked on the creation of local governments without recognition by the National assembly which lead to mockery of the state by federal government. Creation of local government, according to the chairman of the then Senate Committee on local government, Senator Tunde Ogbeha emphasized that it require constitutional procedures which Lagos State government have not followed. The business of creating local governments in Ogbeha's tenure, is between the community seeking such council, the State House of Assembly and the National Assembly (Maduagwu, 2003).According to Dasuki Report, Military Governors, "in consultation with the local government concerned could create Area Office(s) after clearance with the General Staff Headquarters" (Federal Military decree 1985).

Under the fourth republic, though the states could create local government but such creation becomes real only after it was approved by the National Assembly. Theoretically, therefore, state and local governments could create local government; Area Council and Wards respectively, practically, they must seek clearance from the Federal Ministry of Intergovernmental Affairs.

Lagos State whose monthly federal allocations to the local government has been withheld for more than six years, salaries of works of such local government were unpaid while developmental projects were also stalled, Lagos State government restored to however, the conversion of the newly created local governments to Area Office with their headquarter located in the said Area Offices as local government. On June, 2007, the newly democratically elected president, in person of Umar Yar’Adua paid all the six years monthly federal allowance to the Governor BabatundeFasola of Lagos State; this follows the rule of law in his administration (Ogunsola, 2009).

Many state governments especially during civilian administration 1999-to date embarked on creation of local governments but only few could see the light of the day due to many problems that bedeviled local governments, some perished after few years of their existence, while others suffered from problems ranging from politics to lack of continuity, dearth of funds and inability of the national assembly to recognize it as a true tier of government due to politics of confrontation, mockery of state where the dominant party is not in control of such states. A clear picture of this was Lagos state; the state went ahead and created many area development council but were not recognized by the federal government due to party differences (Danjuma, 2012). However, in recognition of the Lagos mega city challenges and in order to bring governance, development and participatory democracy nearer to the local people increased in June, 2002 with the creation of additional 37 local governments bringing the number of the local governments in the state to 57 (Agboola, 2009).

<b>State</b>	<b>Old LocalGovt</b>	<b>New Local Govt</b>	<b>Total</b>
Lagos	20	37	57
Kebbi	20	20	40
Ebonyi	13	23	34
Katsina	34	30	64
Nasarawa	13	16	29
Niger	25	17	42
Yobe	17	23	40

Source: Danjuma and Muhammad, 2013

The table above, it shows that many states created local government that are more than the old local governments for instance Lagos created 37 new area development council otherwise known as new local governments, Kebbi added another 20 area development council, Ebonyi state also created 23, Katsina state 30, Nassarawa state 16, Niger 17 and Yobe state created 23 without adequate funding especially during this period of global financial meltdown, the possibility of such local governments to see the light of the day is very meager.

### **Local Government Creation: Lagos Example**

Lagos State was created on May 27, 1967 by state (creation and Transition) decree No 14 of 1967, which restricted the Federation into 12 states. Prior to this, Lagos Municipality was administered by the Federal Government in respect of Federal Ministry of Lagos Affairs as authority, while the Lagos City Council was governed the city of Lagos. Equally, these council areas (colony province) of Ikeja, Ikorodu, Epe, Badagry and Mainland were administered by the Western Region. The state took off as an administrative entity on April 11, 1968 with authority of serving the dual role of being the state and federal capital. However, with the creation of the Federal Capital Territory of Abuja in October 1<sup>st</sup>, 1979, Lagos Island ceased to be the capital of the state which was moved to Ikeja, the formal relocation of the seat of the federal government to Abuja in December, 1991, Lagos ceased to be Nigeria's political capital. Nevertheless, Lagos remains the nation's economic and commercial capital to extent political records. "Lagos is to the people of Nigeria, what the body is to an individual" (Agboola, 2009). The divisions are further divided into 20 local government areas in the nation's three-tier federal structure in 1976.

Although Lagos State is the smallest state in Nigeria, with an area of 356, 861 hectares of which 75,755 hectares is wetlands, yet it has the highest population, which is over five percent of the national estimates. The state has a population of 17 million out of a national estimates of 150 million (Lagos State; 206).

The United Nation (UN) estimated that the growth rate of Lagos state will be third largest mega city of the world by the year 2015 after Tokyo in Japan, Bombay in India. Of this population, metropolitan Lagos with an area covering 37% of the land area of Lagos State is home to over

state population. The rate of population growth is about 600,000 per annum with a population density of about 4,193 person in the built-up area of metropolitan Lagos, the average density is over 20,000 persons per square km. Lagos population is growing faster than New York and Los Angeles cities with grave implication for urban sustainability (Mabogunje, 2001).

The reasons why Lagos State Government created another newly thirty-seven local governments was due to 1984, Dasuki led panel of local government reform, although the military in 1985 set up a specific criteria for creation of local government. These criteria are:

- ✓ Minimum population of 100,000 to 150,000;
- ✓ Minimum tax-paying population of 20,000;
- ✓ Traditional association and wishes the community seek in the area;
- ✓ Geographical contiguity;
- ✓ Financial viability; and
- ✓ Administrative Convenience (Gboyega, 1987).

#### **Lagos State Social Security Exercise and Population Figure:**

<b>Local Government</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
Agege	564,239	468,825	1,033,064
AjeromiIfelodun	723,644	711,651	1,435,295
Alimosho	1,099,656	947,370	2,047,026
Amuwoodofin	301,017	223,959	524,971
Apapa	264,728	257,656	522,384
Badagry	187,427	192,993	357,634
Epe	153,360	170,274	323,634
Eti-Osa	460,124	523,391	983,515
IjeuLekki	49,613	49,927	99,540
IfakoIjaiye	380,112	364,211	744,323
Ikeja	328,778	319,942	648,720
Ikorodu	364,207	324,838	689,045
Kosofe	527,539	407,075	934,614
Lagos Island	461,830	398,019	859,849
Mushin	684,176	637,341	1,318,517
Mainland	352,627	332,628	685,255
Ojo	507,693	433,830	941,523
OshodiIsolo	514,857	619,691	1,134,548

Somolu	517,210	507,913	1,025,123
Surulere	698,403	575,591	1,274,362
<b>State – Total (20)</b>	<b>9,115,041</b>	<b>8,437,901</b>	<b>17,552,942</b>

Population by Sex and Local Government Area, Lagos State: 2006

The Lagos case has been raised by Southern elites who have since 1990s agitated against so-called northern domination. It is alleged that successive “northern” military rulers favored the North in the creation of States and local government (Ukiwo, 2007). The Southern elites therefore, insisted that central to the resolution of National Question is restructuring of the “unbalance” federation. The local governments are unevenly distributed across geo-political zones. The North West zone has a quarter (24%) of the LGAs in the country while other five zones have between 12 and 18%. (Adeyemi, 2012).

### **The Implications of Local Government Creation**

In most parts of the world, local governments serve as catalyst for rural/national development but in Nigeria, local governments are seen as appendage with no discretionary power (Aborisade, 2006). One of the common problems is confusion of identity. On the creation of new local governments by state governments, the implications are far reaching. At present local governments are finding it difficult to operate as a third tier of government because of the limited funding. This was further exacerbated by the creation of new local governments. The sheer high overhead cost of running 774 local governments has almost crippled the capacity of local governments to deliver social services to the people. The situation has worsened since the creation of new local governments by some states in Nigeria. The basic concern is the economic, political and legal implications of this by increasing the number of local governments in the state, one or two things are bound to happen- the overhead cost of administration of local governments and quest for their sustainability (Danjuma and Muhammad, 2013). The local governments are not promoting development, politically or economically. The creation of new local will be uncreative means of dealing with aspects of the national question in Nigeria. The local government has been corrupt, alienating and barely impacts on the local populace. It is urgent to re-think local government as a basis to mediate local government creation agitation.

The cost of government has been huge and a burden on the economy; it is not realistic to create new local government (Danjuma, Sanusi and Kirfi, 2012).

On the issue of state local government account, there are allegations that states are tempering with the statutory allocations to local governments from the federation account thereby leaving them with little or nothing to settle recurrent. The political elites do mobilize groups on ethno-regional interests to campaign for local government creation and development. These elites often argue that local government creation fosters growth and development, bring government nearer to the people, prevent racism and ensure popular participation as the critical bases for creating local governments. The political class argues for local government creation to foster access to statist institutions and structures and engender political inclusion of marginalized sub-nationalities. These arguments of the political elite are flawed in the light of the historicity of local government creation and its politics in Nigeria. The political classes are the greater beneficiaries; the replications of local government (Danjuma and Muhammad, 2013).

### **Conclusion and Recommendations**

Ethnicity among other socio-political issues has a lot of implications for the Nigerian project. The struggle among ethnic groups to have access and control resources in Nigeria nearly delayed the country's independence due to the fear of domination expressed by the different ethnic groups. It is this struggle among the various ethnic groups that led to the struggle for local government creation in Nigeria (Vande, 2012).

The major purpose of creating local government is to bring development to the grassroots. In order to perform adequately, there is need for local councils to have a strong economic base. In this connection, it is suggested that statutory allocations to local council be reviewed upward. In addition to that, councils' shares of federation account to be released to them directly to avoid lateness in the payment of salaries and arbitrary deductions by the State government (Arowolo, 2008).

The creation of local governments to satisfy parochial and patrimonial needs will not move the country forward. States creation is not, in the least, a solution to the myriad problems the country is facing. Previous exercises have never been done from the perspective of bringing government and development closer to the people. Rather, it has been to score some political goals and satisfy particular interests. Again, experience has shown that local government creation in Nigeria over the years has not brought about the desired or expected effects.

The creation of local governments is therefore not a solution to the problems of development and democracy in Nigeria. Rather, the exercise will create opportunities and developments which will liberate new forces and throw up more challenges.

The continued agitations for the creation of more local governments are simply an easiest way of having access to power and wealth. To actually get the government and development to the people, there is need to reposition the Local Government, which is the closest tier of government to the grassroots. For now, the Local Governments are operating under the strangulating control of State Governors. They are centers of corruption and mediocrity. The powers and functions of the Local Government system should be enshrined in the Constitution and their finances ensured.

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