

Brief Education and Academic Background Of Eke, Isreal Emenike from University Of Nigeria, Nsukka [Unn], Enugu State, Nigeria

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Abstract: The paper was an examination of good governance at the local government level in Nigeria. The research methodology was essentially exploratory and therefore, depended on secondary data for the examination of issues of local government administration and good governance. The interest in good governance at this level of government arose out of the continued hue and cry of poor performance of the third tier of government which has attracted many conferences, workshops and dialogues about the future of this level of government. The paper explored good governance and found it to contain three essential elements-citizen participation, accountability and transparency. Analysis of institutional, organizational and constitutional measures put in place to ensure good governance at this level of government, using institutional theory suggest that institutional differences-organizational and constitutional led to crises during the implementation of the measures. These crises have drastically reduced the realization of the three concepts of good governance-accountability, transparency and citizen participation. We recommend that there should be proper harmonization of the activities of various institutions and measures aimed at achieving good governance. The higher tiers of government should provide the legislation, reforms and coordination necessary to cultivate the ethos of good governance at the local government level.

Keys Words: Governance, Local Government, Accountability, Transparency, Citizen Participation, Institutional Theory.

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I. INTRODUCTION

Nigeria as a developing nation is facing the problems associated with underdevelopment, such as poor and inadequate infrastructure, inefficient and ineffective service delivery, corruption, high level poverty and misery. The continued existence of these problems in Nigeria is due largely to bad governance. Achebe (1983:1), asserts that, "the trouble with Nigeria is simply and squarely a failure of leadership. Good governance centres on the nature of leadership". Good leadership is a prerequisite for good governance. Achebe further stated that there was nothing wrong with the Nigerian character, land, climate, air or anything else, including money. Despite the fact that Nigeria is the sixth largest exporter of crude oil in the world, it is today one of the poorest countries in terms of human development (Udeh, 2005:11). Nduka (2006) observed that in spite of oil booms in Nigeria, Nigeria is still at the lower rungs of the ladder of national development as a result of bad leadership.

However, the Obasanjo administration, in realization of the messy situation, introduced some measures and institutions aimed at achieving good governance in Nigeria. Such measures or reforms include:-

Due process

Fiscal Responsibility Act (2007)

The Public Procurement Act (2007)

The Independent Corrupt Practices Commission (ICPC)

Economic and Financial Crimes Commission (EFCC)

Another measure towards achieving good governance in our democratic system is the budget process, where Ministries, Departments and Agencies (MDAs) are expected to defend their budget proposals before select committees.

Good governance can be better appreciated at the grassroots level where the people are in most need of dividends of good governance. Good governance comprises three major interrelated elements, transparency, accountability and citizen participation. Citizen participation is an evidence of accountability, while transparency is the expected outcome of accountability. Carsten (2005:7) asserts that “*without good governance, trust will be lacking between a government and those whom it governs.. the result will be social (and political) instability and an environment that is less than conducive to economic growth and development*”. There are also measures and institutions at local government level that are meant to ensure and enhance good governance. The interest in good governance arose from the need for those in government to be answerable to those who finance them. This preoccupation with good governance made Day and Klein (1987) to state that the Modern Welfare State is also a service state whose development has compounded the problems of making those who deliver service answerable both to those who finance the services and those who use them. The interest also arose out of various complaints about the dismal performance of local government in providing the people with the dividends of democracy. There have been many seminars, dialogues and commissions on the future of local government due to their perceived inefficiency and ineffectiveness. Omotola (2009) stated that the major reason for various and endless reforms of local government in Nigeria was as a result of non-performance or gross under performance of the local government. Recently, a workshop was organized by the Forum of Chairmen of Local Governments to address the issue of non performance and accountability (Abubakar, 2010). This paper is therefore, to examine the extent to which good governance is entrenched and practiced at the local government level.

Clarification of Concepts: Local Government

Local government, as seen by Awa (1981), is a political authority set up by a nation or state as a subordinate authority for the purpose of dispersing or decentralizing political power.

And Emezi (1984), in a broader definition, sees local government as system of local administration under local communities that are organized to maintain law and order, provide some limited range of social amenities and encourage cooperation and participation of inhabitants towards the improvement of their conditions of living. It provides the community with formal organizational framework which enables them to conduct their affairs effectively for the general good.

This definition is in congruence with the local government theory of welfare state, that the efficiency value of local authorities is the strongest in favour of modern local government. However, Hill (1974) is of the opinion that if local government is to be this effective provider of services, it must be more than efficient, and it runs a risk if it neglects the involvement of the public in a meaningful way, reason being that the local government will still be judged by that justice, fairness, equality and openness by which democratic society as a whole is judged. Bearing in mind the above definitions, the ideal local government is a government that promotes equity, accountability, efficiency, providing an enabling environment for human development and eradication of human deprivation. The meaningful participation of the people in decision making in local government development activities should be a paramount idea of establishing a local government.

Good Governance

Governance is defined as the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It comprises mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences (UNDP, 1997 as quoted by SHDR, 1999).

Good governance therefore is a process of executing a coherent governing plan for the nation based on the interests and priorities of the people. It aims at creating a just society based on the principles of inclusiveness, liberty, equality and cooperation (Dahal, et. al. 2002).

And as Izueke (2007) puts it, good governance is all about government effectiveness in fulfilling their part of the social contract, empowerment of the citizens through information provision and allowing for greater citizen participation in decisions affecting them.

Good governance lays emphasis on efficient and effective government to enhance speedy development of a nation and its citizens. It ensures maximum participation of the citizenry, transparency, accountability and the rule of law. It is basically an ongoing process that needs sustainability. It is an important change in the role of government in administrative affairs and full citizen participation.

Transparency: According to Abubakar (2010), transparency is openness, and adherence to due process. He further stated that transparency ensures that information is readily available that can be used to measure the authorities performance, and guide against any possible misuse of power.

Accountability: Accountability is the responsibility to account for stewardship to an authority or the people (Abubakar, 2010). In a similar manner, Robertson (1993) quoted in Ezeani (2003:3) opines as follows:- Accountability has two major meanings which overlap. Firstly, there is the standard meaning common in democracies that those who exercise power, whether as government, as elected representatives or as appointed officials, are in a sense stewards and must be able to show that they exercised their powers and discharged their duties properly. Secondly, accountability may refer to conformity between the values of delegating body and the person or persons to whom powers and responsibilities are delegated.

Citizen Participation: This means the engagement of the citizens in the formulation, implementation and evaluation of policies that affect them. It entails two way channel of communication between the government and the governed.

Theoretical Perspective

The framework of analysis adopted for this study is the institutional theory. Guy Peters (2000:7) defines an institution as “a formal or informal, structural, societal or political phenomenon that transcends the individual level, that is based on more or less common values, has a certain degree of stability and influences behaviour, Institutional theory focuses on the deeper and more resilient aspects of social structure. It considers the processes by which the structures, including *schemas*, rules, norms, and routines become established as authoritative guidelines for social behaviour. Different components of institutional theory explain how these elements are created, diffused adopted and adapted over space and time; and how they fall into decline and disuse.

Institutional theorists believe that institutions not only offer and constraint behavioural alternatives, but they also, up to a certain extent model individual preferences (Steunenberg et al, 1996: March and Olsen, 1995). This means the institutions, directly and indirectly determine the motives guiding individual behaviour.

In Nigeria, there are several organizational measures and institutions (such ICPC, EFCC, Audit Alarm Committee, Constitution, Presidential System of Local Government etc) that work together and in most cases at crossroads in regularizing participants behaviour in a certain way. The paper analyzed the institutional dynamic that occur most frequently and the negative effects they have on good governance at the local government level.

Local Government Administration as a Sine-qua-non for Good Governance

Local government represents the dispersion of political power in our society. The idea of local government stems from the fact that it is the closest government to the people in a democratic setting and the best system of exercising good governance and engaging people in their own governance.

A decentralized authority calls for effective and efficient local government to enable it perform its tasks to the satisfaction of the citizens. As observed by the United Nations (1996) a local government that has the mandate of the people can more effectively address local interests as well as exercise a check on the operations of higher levels of authority. This check will definitely curb unnecessary expenditures and be more focused to the use of scarce resources. This is basically because the centralized states according to Esman (1991) are expensive to run, they are cumbersome, inflexible and are subjected to being abused.

The above assertion was supported by Awasthi and Adhikary (2002) when they stated that the ideal local government in this context, means the good government achieved through decentralized local governance. This is because good governance at local level is not possible without the transfer of authority, responsibilities, capacity and resources through decentralization. Local government having relative autonomy can display high levels of performance in its administration and service delivery. This can be sustained through stable environment open to local party politics, substantial flow of fiscal and personnel resources to commitment from the central government to maintain an ideal local government.

In this vein, democracy must be rooted in functioning local, participatory self- governance institutions. Therefore, good governance in local government cannot be ignored if the wishes and aspirations of the people are to be attained.

Good governance is also viewed as a relationship between the central government and the other tiers of government in the sharing of administrative authority to manage a country's affairs, The transfer of responsibilities by the central government to local governments places the local government to open judgment of its activities by the people; thus requiring their integrity in the exercise of authority. The lesson of good governance requires supporting and consistent institutional arrangements within the polity.

Fakunda Parr and Parizio (2002), quoting the United Nations Secretary General, Kofi Annan's statement at the millennium declaration (2000), stated that good governance is perhaps the single most important factor in eradicating poverty and promoting development.

Local Government Administration and Good Governance in Nigeria in Recent years

The desire to strengthen the local government and enhance its performance in realizing good governance has been an issue of concern to successive governments in Nigeria. These measures can be grouped into two: organizational and institutional. Organizationally, in a bid to stem the excesses of both the professionals and elected councillors, the Babangida regime resolved to extend the Presidential system of governance to the local government (Bello-Imam, 1996:159). The reform entails the following, among others:

- i. Separation of the Executive arm from the Legislative arm of local government.
- ii. The stipulation that all elected councilors shall henceforth constitute the legislative arm which is to be called the council
- iii. As an Executive Chairman, the elected Chairman of local government council shall henceforth cease to be a member of the local government subject to the Chairman's veto which could be set aside by the council's two-thirds majority.
- iv. The Council shall perform other functions which include vetting and monitoring the implementation of projects and programmes in the annual budget of the local government. The council is charged with policy making, control of finance and the oversight function in regard to the executive arm.

These arrangements are aimed at achieving checks and balances in Local Government Administration. This would ensure accountability, transparency and citizen participation. Also, the financial transactions of the local government are within the ambit of the treasurer, who is a career officer. He is to provide guidance to political officeholders to ensure transparency and accountability in the conduct of the local government's financial operations.

Institutionally, according to Abubakar (2010), local governments across the nation have well documented statutory and administrative procedures for ensuring due process in the administration of the local government, particularly, its finances. The Financial Memoranda (FM) provide a very detailed framework to guide budgeting, planning, accounting procedures, and general financial management in the local government. Some states demand for mandatory clearance from the local government before any expenditure above certain limit can be incurred.

Other measures which arose from the application of the 1988 civil service reforms as applied to local governments include:

- i. The establishment of Audit Alarm Committee
- ii. The Codification of financial offences and sanctions.
- iii. All monthly revenue receipts and expenditures shall be reported to the legislative arm of the local government in the monthly statement of revenue and expenditure.

President Olusegun Obasanjo Administration of 1999-2007 focused on the area of corruption emphasizing that good governance could only be achieved when leaders in authority exhibit the fundamental ethos of good governance-Transparency, Accountability and Civic Engagement. It is also, the ability of the government to aim its developmental goals towards the common good of the people and their full support of such goals. Therefore, in an effort to achieving good governance in Nigeria, the Obasanjo administration established some institutions such as:-

The Independent Corrupt Practices Commission (ICPC)

Economic and Financial Crimes Commission (EFCC)

Extractive Industries Transparency Initiative (EITI)

Furthermore, in the area of government's fiscal and financial operations, the government introduced reforms for financial management and public procurement. These were made into law by the National Assembly as the Fiscal Responsibility Act (2007) and the Public Procurement Act (2007). While the former was designed to ensure prudent management of government's financial resources, the later was introduced basically to ensure due process in public procurement. The federal government also introduced the policy of publishing statutory allocations and other centrally transferred funds to the three tiers of government in national dailies monthly. This is to ensure a higher level of transparency, accountability and citizen awareness.

The constitution of the Federal Republic of Nigeria 1999 has provision on local government covering their existence (section 7), creation of new ones (section 8[3]), fiscal transfers from federation account section 162r3], [5-8] and functions [fourth schedule). These provisions were made with the intention of safeguarding a reasonable level of structural and decisional (or discretionary) autonomy for local governments in achieving good governance.

Good Governance and Local Government Administration in Nigeria: An Analysis

In analyzing the institutional and organizational dynamics in local government administration, the institutions-presidential system of local government, constitutional provisions, electoral institutions etc, have directly and indirectly shaped the individual behaviour of the actors in local government administration.

The resultant behaviour have negated the three elements of good governance as would be seen below, in the form of corruption, executive dominance, selection and not election etc. some of the crisis that arose from these institutional organizational and constitutional dynamics are discussed below.

Institutional and Organizational Crises

The adoption of the presidential system at the local level has the tendency towards dictatorship. Presidential system of government at the local level resulted in executive dominance. Udentia (2007:177) observed that, “the Chief Executive in the local government takes 4the praises and blames for whatever is done or left undone respectively”. Abubakar (2010) also noted that the situation in most local governments is that the legislative arm exists only in name. The Chairman dominates the local government like a colossus. This, in effect, affects the legislative arm not to perform its statutory function to provide checks and balances on the excesses of the executive. The lack of non existing control by the legislative leaves the chairman as a sole administrator in the council’s administration. This breeds indifference on the part of the Chairman towards good governance. Due process is in most cases jettisoned.

Local governments also have huge personnel members but inadequate technical capacity (Gboyega, 2003). This lack of capacity shows in financial management where routine books are not kept so annual accounts cannot be prepared, therefore, no accountability and transparency.

In some other cases, since local government councils pass an insignificant amount of bye-laws annually, they pre-occupy themselves with agitations for the impeachment of their Chairman. This also stems from Executive dominance. Some local government councils do not know the revenue earnings of their local governments.

Institutional and Constitutional Crisis

In spite of the constitutional provisions earlier mentioned, that were meant to safeguard local governments’ autonomy, there have been cases of arbitrary dissolution, abolition or fragmentation of local governments by the higher tiers of government. The State Joint Local Government Account and the provision of the constitution in section 162 (5-8) which empowered the state Assemblies to decide the revenue to their local government facilitated state encroachment on local revenues. Cases of state hijacking of local government revenues abound from.1999 to date.

Political Crisis

Politically, due to the flaws in the electoral process in the country, what is obtained is a virtual selection and not election of local government functionaries. Local government chairmen are always imposed on the people by the state governors. This erodes the three elements of good governance at the local government level. The imposed chairman will be accountable to the Governor rather than the people. This results in lack of transparency and non involvement of the citizens. As stated earlier, the lifespan of the local government councils are at the mercy of the state governments. There is no consistent pattern of local government elections. Some state Governors would dissolve their councils and appoint caretaker committees. These arrangements do not in any way move in the direction of good governance at the local government level.

Corruption

The Nigerian state is characterized by prebendalism. This is a situation where public office is held first, for the interest of the officer and second, for the interest of the public. This situation has greatly encouraged corrupt practices at every level of government in Nigeria. Corruption means absence of accountability, transparency and civic engagement. It means selfish service and attitude in public affairs. An example of corruption at local government is using local government fund to finance political parties.

Aluko (2003) observed that collusion is a powerful tool of corruption. He identified the following forms of collusion that are common to the local government system.

- i. Collusion between Supervisory Ministries and local Government Chairmen
- ii. Collusion with citizens who benefit from the thieving public Officers
- iii. Collusion with contractors to inflate contract prices or quotations

From the above enumerated forms of collusion one can infer that good governance is a far cry from the local government system. An empirical example of collusion was given by Kehinde (1999), when he reported that two treasurers (directors of finance and supply) and former secretary (director of personnel management) in

the Old Oyo state disclosed that external auditors contributed to the wave of fraudulent practices by demanding money upfront from the staff of the local government in order to suppress incriminating evidences against them (the staff).

State governments and their local councils are expected to adopt the two legislative Acts (Fiscal Responsibility Act and Public Procurement Act). However, from observation, the Acts have not reached the local governments, though there are evidences of reform of the due process in financial management and public procurement by some of the local governments. The ability of the local councils to adopt the two Acts will facilitate the pursuit of good governance supporting the UNDP (2004) suggestion that people participate more effectively if institutions and decision making processes are located closer to where they live.

II. RECOMMENDATIONS

The activities of the various institutions designed to achieve good governance at the local government level should be properly coordinated and harmonized. For instance, the constitutional provision in section 162(5-8) that made for joint account between the state and the local government is at cross-roads with the supposed duty of the legislative arm of the local government. That section should be amended to allow the legislative arm of the local government to at least take part in deciding what should be done with the money.

An ideal local government should ensure the availability of information about its revenue generation and expenditure; this in effect is transparency which is a cardinal factor towards achieving good governance. This can be through the publication of development bulletins, organizing press conference, public auditing and through electronic media. As Shrestha (1996) puts it, the main element of people's participation is the conscious, purposive and enlightened involvement of the people of their own accord in the process of the promotion of their welfare.

Institutionally and organizationally, the issue of checks on the executive excesses should not be left in the hands of the legislative arm alone. This is largely due to, the fact that the executives dominate the legislative arm. Therefore, measures should be taken to sensitize and harness the vast resources in the localities such as the civil society groups, and other self-existing systems (community development association, town unions, traditional councils, etc). These groups could provide the much needed checks on executive excesses and dominance. These should have power to prosecute all local who have abused public trust or who are indicted by Audit-reports.

Capacity building at this level is imperative for good governance. Training at this level should be demand driven rather than rituals. It should be based on needs assessment. Constitutional reform should allow the legislative arms of local governments to decide what they should do with revenue accruing to them. The State-Joint Local Government Account (SJLGA) should be abolished and a clearer way of funding joint development programmes and project between the state and local government evolved.

The current yearnings for electoral reform in the country should be pursued with all honesty and will, in order to allow the will of the people to prevail in choosing their chairmen and councillors. This will give room for greater civic participation, accountability and transparency. The existing statutes, administrative and financial guidelines that govern local government administration in Nigeria should be clinically reviewed and strengthened in the light of current realities in the country.

Local governments should be encouraged and made to adopt the provisions of both the Fiscal Responsibility Law and the Public Procurement Law of their respective states. The higher levels of government should provide the enabling legislations, framework and reforms, policies and environment that would put the three elements of good governance (citizen participation, accountability and transparency) at the centre piece of governance.

Furthermore, public enlightenment, reorientation, training and re-training are required to change attitudes, perceptions and mindsets in order to make local governance truly participatory and transparent. The leadership at the federal level should develop the political and moral will to punish corrupt local government functionaries to serve as a deterrent to others.

The Electronic Governance System Popularly referred to as E-Governance has also been identified by Izucke (2007) as a measure towards achieving good governance. In its ability to adopt the E-governance, the local government need to have capacity to change their organizational structure, identify potential areas of revenue generation through the adoption of innovative techniques and methods such as computers, E-mail, Internet, computer networking, Intercom etc.

III. CONCLUSION

We have explored the tenets of good governance and the institutional and organizational measures put in place to achieve it at the local government level. The situation of local government administration was analyzed using institutional theory and it was discovered that the administration at this level was bedeviled by several crises, politically, institutionally, organizationally and constitutionally.

We therefore conclude that some of the organizational, institutional and constitutional measures lack proper harmonization and coordination which adversely affected good governance. This can only be solved by the higher tiers of government providing the legislation and framework for better coordination of these measures.

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