

READINGS ON GOVERNANCE AND ACCOUNTABILITY IN NIGERIA

Edited by

DAVID ADEYEMO

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and

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Cuvillier Verlag Göttingen
Internationaler wissenschaftlicher Fachverlag

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CUVILLIER VERLAG INTERNATIONAL SCIENTIFIC PUBLISHERS
Nonnenstieg 8, 37075 Gottingen, Germany

Bibliografische Information der Deutschen Nationalbibliothek

Die Deutsche Nationalbibliothek verzeichnet diese Publikation in der Deutschen Nationalbibliografie; detaillierte bibliografische Daten sind im Internet über <http://dnb.d-nb.de> abrufbar.

1. Aufl. – Göttingen : Cuvillier, 2008

978-3-86955-303-0

© CUVILLIER VERLAG, Göttingen 2008

Nonnenstieg 8, 37075 Göttingen

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www.cuvillier.de

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1. Auflage, 2008

Gedruckt auf säurefreiem Papier

978-3-86955-303-0

PREFACE

The widely held view that Nigeria is one of the most corrupt nations of the world recently provoked a national dialogue on how to arrest this cancerous social malady. The papers presented on this debate titled: Financial Control and Accountability in Nigerian Public Sector, culminated in to this book. This was however complemented by solicited writings and research from scholars and practitioners in public administration.

Indeed, the book provides useful lessons for both developed and developing countries on the efficacy of good governance in order to foster democratic consolidation. Although existing books of this nature deal with democracy, corruption and the like, the distinguishing features of this book have to do with its comprehensiveness in identifying what constitutes the fundamentals of governance and accountability. The theoretical and conceptual interpretations of democracy, governance and accountability form the background of the work. The book also reveals that ethnic nationalism in the Nigerian democratic experience constitutes immense obstacle to good governance. For a democracy to endure, it must have an in-built control mechanism which must permeate the whole fragment of the society.

In Part II of the book, attempts are made to demonstrate the practices of governance and accountability, drawing special lessons from the British experience. The nature and character of bureaucratic corruption and ethical indecorum in Nigeria's public service are also examined. The book likewise addresses what constitutes a failed state and suggests panacea for ameliorating this tendency in Nigeria.

In Part III, the book captures the various instruments of financial control and accountability; government budgetary control, fraud management; recording system, financial rules and regulations, auditing and investigation, as well as transparency in governance.

Part IV of the book presents topical issues on governance and accountability. These include: crime reporting, information management, the role of organization in fostering good governance and poverty alleviation among others.

It is hoped that together, the chapters in this book will stand as a signpost to the inherent contradictions of governance and accountability in Nigeria and in other nations of the world.

Finally, we dedicate this volume to all lovers of accountability and transparency in governance.

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ACKNOWLEDGEMENT

We are indeed grateful to those who have contributed in one way or the other for the publication of this text.

We are particularly appreciative of the push generated by our numerous students, scholars, bureaucrats and political actors who have shown great concern on the issue of good governance and accountability in Nigerian polity. The challenges posed by colleagues in the Department of Local Government Studies, Obafemi Awolowo University, Ile-Ife, Nigeria, as well as the Department of Political Science and Public Administration, Adekunle Ajasin University, Akungba-Akoko, Ondo State and the Department of Public Administration, Lagos State University, Ojo, Lagos, Nigeria are commendable. We are grateful to our publisher that created enthusiasm in publishing this book.

Our sincere gratitude goes to Prof. Oluwole Akindahunsi of the Allen University, Columbia, South Carolina, USA for his encouragement while putting this book to educate the Nigerian people on the efficacy of good governance and accountability.

We have benefitted from the advise and encouragement of Michael Schmitz of CUVILLIER VERLAG, who kept urging us of the needs to complete this work.

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CONTENTS

<i>Preface</i>	<i>iii</i>
<i>Acknowledgements</i>	<i>iv</i>
<i>List of Contributors</i>	<i>v</i>
<i>Table of Contents</i>	<i>vii</i>
<i>Editorial Summary</i>	<i>xi</i>

PART ONE: THEORETICAL ORIENTATION OF DEMOCRACY AND GOVERNANCE

1. The Concept of Democracy and Governance <i>TUNDE AKINDELE AND D.O. ADEYEMO</i>	<i>1</i>
2. Grassroots Democracy: A Theoretical Discourse <i>KUNLE AWOTOKUN</i>	<i>12</i>
3. Conceptual Analysis of Accountability and Transparency in Governance <i>D.O. ADEYEMO AND G.C. IHEMEJE</i>	<i>18</i>
4. Ethnic Nationalism and the Nigerian Democratic Experience in the Fourth Republic <i>M.A.O. ALUKO</i>	<i>30</i>
5. Reinventing the Grassroots Level: The Challenge of Governance in Nigeria <i>MIKE ADEYEYE</i>	<i>37</i>
6. The Theory and Practice of Local Government in Nigeria: A Critique <i>I.A. ADEWALE</i>	<i>45</i>

PART TWO: PRACTICE OF GOVERNANCE AND ACCOUNTABILITY

7. Improving Ethics in Nigerian Public Administration: Some Lessons from the British Experience <i>S.B. FAJONYOMI</i>	<i>52</i>
8. Bureaucratic Corruption in the Public Service: A Case Study of the Nigerian Local Government <i>I.O. ARANSI</i>	<i>60</i>
9. Ethical Indecorum: The Bane of a Corruption-Free Nigeria <i>A.M. OLADOYIN</i>	<i>72</i>
10. Reconstructing a Failed State: A Case of Nigeria <i>O.O. ADEYEMI & G.I. OBETOH</i>	<i>82</i>
11. Principles and Ethics of Professionalism in Nigerian Local Government Service: The Case of Osun State <i>I.O. FAYOMI</i>	<i>89</i>
12. Organized Labour and Political Class: Who Controls the Machinery of Local Government Administration? <i>F.A. OLASUPO</i>	<i>99</i>
13. The Crisis of Administrative Reform: An Analysis of Nigerian Local Government <i>MIKE ADEYEYE</i>	<i>111</i>

14. **Local Government Autonomy as Stimulus to Enhancing Accountability in Nigeria**
B.O. ADEDIJI 118

PART THREE: FINANCIAL CONTROL AND ACCOUNTABILITY

15. **Government Budgetary Performance in Nigeria: Its Implications on Economic Development**
OGUNTEGBE, ABRAHAM ADEWALE 124
16. **Accountability and Recording System at Local Government Level**
S.M. ADESOLA 135
17. **The Role of Financial Rules and Regulations in Fostering Accountability and Transparency at the Local Government Level**
M.L. NAZZAR 140
18. **Auditing and Investigating at the Local Government Level**
OLU OMOPARIOLA 145
19. **Treasury Management and Control in Nigerian Local Government Councils**
OGUNTEGBE, A.A. & ADEBAYO, N.A. 152
20. **Fraud Management and Prevention**
OLU OMOPARIOLA 161
21. **Federalism and Local Government Finance in Nigeria**
F.O. FAGBOHUN 166

PART FOUR: TOPICAL ISSUES ON GOVERNANCE AND ACCOUNTABILITY

22. **Crime Reporting and Information Management: The Nigerian Experience**
A.A. IDOWU 175
23. **The Roles of Community Based Organizations (CBOs) and Non-Governmental Organizations (NGOs) in Crime Prevention and Control in Nigeria**
OLAIYA, TAIWO AKANBI 180
24. **Policy Formulation, Implementation and Evaluation in the Nigerian Public Service**
APKOMUVIRE MUKORO 189
25. **An X-ray of the Functions of Local Government Councillors in the Local Government Set up in Nigeria**
I.A. ADEWALE 196
26. **Women Interest Organizations: Encounters with the State on Issues of Good Governance: A Case Study of Women in Nigeria**
IYABO OLOJEDE 204
27. **Towards Achieving the Qualitative Millennium Development Goals for Women in Poverty**
ADEBUKOLA FOLUKE OSUNYIKANMI 211
28. **Corporate Governance in Nigerian Banking Industry**
A.A. AKINBUWA & M.O. ERHUN 217
29. **Alleviating Poverty through Local Government Entrepreneurial Ventures in Nigeria**
S.R. AKINOLA 225

30.	Examination Malpractices: A Threat to Validity of Nigerian Public Examinations <i>EMILY OLUSEYI ADEYEMO</i>	233
31.	An Appraisal of Nigerian Foreign Policy on national Development <i>MERCY O. ERHUN</i>	240
32.	Culture, Poverty and Maternal Mortality in Nigeria <i>B.T. BADEJO</i>	254

EDITORIAL SUMMARY

The Concepts of Democracy and Governance

Akindele and Adeyemo give apt theoretical perspectives on the concepts of democracy and good governance. They also emphasize that democracy provides the bedrock for good governance; and succinctly positing democracy and good governance to be inter-related in such a way that the absence of one spells doom for the other.

Grassroots Democracy: A Theoretical Discourse

Awotokun depicts that grassroot democracy is a mass participatory democracy, which encourages good governance, as people are deeply involved in the governance processes. He opines that it doesn't only take the government closer to the people but also enables the government to know and serve them better. He emphasizes that unsustainable grassroot democracy can invariably lead to failed democracy.

Conceptual Analysis of Accountability and Transparency in Governance

Adeyemo and Ihemeje reveal the concept of accountability in the ethics of governance provoke several meanings ranging from responsibility, responsiveness, answerability, enforcement, blameworthiness, liability and other associated terms. They however argue that Governance in its broad context goes beyond leadership and control of people and properties. Also, claims were made on the appearance of transparency in making organizational bodies visible; hence Gerry Stoker theoretical framework was established to furnish the subjects. They further opine that the barriers in Governance viz-a-viz accountability and transparency, and as such, the duo suggested robust principles to enhance better performance viz; public accountability, publicly understandable and acceptability and by extension a comprehensive strategies.

Ethnic Nationalism and the Nigerian Democratic Experience in the Fourth Republic

Aluko accounts for the concepts of ethnic nationalism and its resurgence and predominance in Nigeria. He also looks at its negative impact on the current democratic dispensation. He depicts various manifestations of militancy, individualism, sectionalism, nepotism, parochialism etc. that characterized Nigerian society results from ethnic nationalism. He suggests positive measures that can be taken to reduce the current trend of ethnic nationalism. He therefore, calls for the convocation of National Conference for positive paradigm shift.

Re-inventing the Grassroot Level: The Challenge of Governance in Nigeria

Adeyeye opines that local government, by the reason of its closeness to the people, knows the people and their needs better and can offer better service to them than any other tier of government. He however, argues that the current situation of local government is making the job too difficult for them. He adequately illustrates that the Nigerian 1999 constitution further complicates the issues for the local government as its activities are over-controlled by other tiers especially by the state. He, therefore, calls for reinventing local government structure (as enshrined in the 1999 constitution) for better service delivery.

The Theory and Practice of Local Government in Nigeria – A Critique

Adewale accounts for the political conundrum bedevil the local government practices in Nigeria while taking his departure from theory and practice (principle) governing it. He premised his analysis with exposition on the tenets of effective local government as expanded by the United Nations in its Handbook to fiasco besetting the workability of the local government in Nigeria, Adewale subscribes to the pragmatic usage of democratic principles and the idea of “no alienation”; mobilization for self help projects; and obtaining up to date statistics of data on issues of welfare and infrastructural developments.

Improving Ethics in Nigerian Public Administration, Some Lessons from the Britain Experience

Fajonyomi sees ethics in public administration as guiding principles for right practices. However, he notes that Nigerian public administration is characterized with unwholesome and unethical practices. He aptly itemizes factors responsible for this in Nigeria. He, thence, draws from British experiences to suggest how Nigeria can establish a right and sustainable ethical practices and at the same time he calls for attitudinal change from civil/public servants in Nigeria.

Bureaucratic Corruption in the Public Service: A Case Study of the Nigerian Local Government

Aransi clearly explains the concept of bureaucratic corruption and vividly identifies its nature and forms in the Nigerian public service. He particularly exemplifies its various manifestations in the Nigerian local governments. He aptly explains its causes and therefore, proffers some possible solutions on how it can be totally eradicated in Nigeria especially in the Nigerian local governments.

Ethical Indecorum: The Bane of a Corruption-Free Nigeria

Oladoyin notes that indecorum is a major snag in the development course of Nigeria. He opines that the phenomenon manifests in the form of discipline, non-accountability, lack of transparency, irresponsibility, disloyalty and the like. The

Paper attempts to tackle the issue under six categories. They are the theoretical consideration, forms and causes of corruption, government's effort at curbing corruption, assessing corruption in the public institutions in Nigeria, the need for ethical decorum and he concludes by identifying various challenges and possibilities of a corrupt-free Nigeria.

Reconstructing a Failed State: A Case of Nigeria

O.O. Adeyemi and G.I. Obetoh evaluate the parameters for identifying a failed state with special emphasis on the Nigerian State. The duo argued that failed state exhibits violence, as it houses warlords and militias. The authors prescribed a sovereign National Conference as a fundamental premise to determine and decide the need for sustenance of the country's federation.

Principles and Ethics of Professionalism in Nigerian Local government Service: The Case of Osun State

Fayomi copiously identify the six major departments in the Nigerian local government and the necessary professional qualifications that are required to head each of them. Using Osun State as a case study, he pointed out that before the recent time professional qualifications are not much considered in the appointment of the officers to head these departments, which makes the ethic of the profession to be flagrantly violated by those misfit officers. He, therefore, aptly enumerate the general principles of professionalism in the local government services. He also identifies the ethical problems in the public service and various efforts made to solve them. Hence, he makes some valuable recommendations at improving ethical codes in Nigerian public service.

Organized Labour and Political Class: Who Controls the Machinery of Local Government?

Olasupo depicts that there had been a cold war between the career officers and the political office holders over the control of the local government in Nigeria. He identifies the tripartite controllers of the Nigerian local governments via historical changes in the country as the traditional rulers, career officers and political class. He also identifies various relationships that exist between the classes involved in the local governance. He opines that their relationships should not have been seen from supremacy angle rather it must be seen as a symbolic one in which one complements the other to achieve corporate goal of the local government.

The Crisis of Administrative Reform: An Analysis of Nigerian Local Government

Adeyeye vividly explains the concept of administrative reforms in the local government in Nigeria. He posits that in spite of its (administrative reform) focus at making things better at the local level, corruption has always been the cog in its wheel of success. He then itemizes, with detailed exemplification, various measures that can be taken by the concerned classes to achieve good success in administrative reforms in the local government level in Nigeria.

Local Government Autonomy as a Stimulus to Enhancing Accountability in Nigeria

Adediji concisely illustrates the and rationale and quest for local government autonomy in Nigeria and quickly identifies some barriers limiting its manifestation in full fledge. He posits the autonomy of this level of government could enhance accountability in Nigeria. He therefore, enumerates some necessary conditions that must be met for the much desired local government autonomy to be realized in Nigeria.

Government Budgetary Performance in Nigeria: Its Implication on Economic Development

Oguntege identifies the role of budget in the Nigeria economy and examines the budgetary performance of the Federal Government of Nigeria especially between 1979 and 2000. The paper examines budgetary performance between military and civilian regimes. It also discusses the reasons for the phenomenal persistent and increasing budget deficits in Nigeria. The paper looks into the consequences of such deficit and proffers solutions to ameliorate the menace.

Accountability and Recording System at Local Government Level

Adesola explains the objectives of government in facilitating and maximizing happiness of the individuals in the society. The paper observes recording system at the local government level in order to foster public accountability.

The Role of Financial Rules and Regulations in Fostering Accountability and Transparency at the Local Government Level

Nazzar demonstrates how financial rules and regulations could foster accountability and transparency in Nigerian public sector. The paper points out the financial duties and responsibilities of accounting officers as contained in the financial memoranda for local government. It concludes that rules and regulations would be of no effect unless officers inculcate the spirit of public accountability.

Auditing and Investigating at the Local Government Level

Omopariola demystifies auditing as the independent examination and investigation of financial statements. The paper examines the role of auditing and investigating in the public sector. It also depicts the efficacy of internal and external auditing at the local government level.

Treasury Management and Control in Nigerian Local Government Councils

Oguntege & Adebayo highlights the structure and functions of the finance Department of a Local Governments. The paper examines the functions of a local government treasurer, the accounting records that are kept by the treasurer and the financial control that exists. Also, it traces the reasons for the financial control facilities at the local councils in Nigeria and concludes with remedies to the problem

Fraud Management and Preventions

Omopariola discusses the concept of fraud as covering a wide range of white-collar crimes from theft and malicious damage and attempts to conceal a dishonest act. The paper identifies fraudulent practices. It opines that fraud is one of the major problems in the Nigerian economy. The author recommends fraud prevention institutions and their responsibilities.

Federalism and Local Government Finance in Nigeria

Fagbohun examines the finance position of the Local Government in the Nigerian fiscal arrangements. The paper attempts to find out whether or not the situation has witnessed any change since the introduction of revenue allocation to the local government under the 1976 reforms. It concludes that the gnames of the local government should not be tampered with, considering its importance as a tier of government as well as input in the overall national development.

Crime Reporting and Information Management: The Nigerian Experience

Idowu clearly explains that, the rate of crime increase on daily basis in Nigeria is due to various factors which include inability of law enforcement agent to have a regular access to authentic information about criminal, general problem of insecurity in nation and the latest sophisticated patterns of criminal behaviour of people in the society. He also assesses the impact of crime reporting and information management by relevant authorities on crime control and prevention in Nigeria and also makes some recommendations on how inherent problems can be solved.

The Roles of Community Based Organization (CBOs) and Non-Governmental Organizations (NGOs) in Crime Prevention and Control in Nigeria

Olaiya reveals the imperative of Community Based Organizations and Non-Governmental Organizations in Crime Prevention and Control in Nigeria. He emphasizes the inevitable role of peace building in democratic state, as it were, of course anchors on development which can be guaranteed through community based and non-government organizations efforts. Although services supplied by these organizations have declined in recent times. He therefore suggests synergy of joint pursuit of security, provision, protection and crime prevention among the police, NGOs and CBOs.

Policy Formulation, Implementation and Evaluation in the Nigerian Public Service

Mukoro opines that it is the public services that government use to translate its policy decisions into concrete action, that can be actualized through the creation of necessary space for the evolution and development of the institutions of society, being essential for not only political reasons but also for both social and economic development. In his theoretical framework, he draws relationship that exists between the politicians, public servants and the citizenry, while he juxtaposes the subject with four deterministic models viz: decision making, rational comprehensive, incremental mixed scanning and satisfying. He therefore emphasizes on policy makers, on the need to be mindful of lives of general public while implementing decisions.

An X-ray of the Functions of Local Government Councilors in the Local Government Set Up in Nigeria

Adewale in his examination of the functionality of Local Government Councilors in Nigeria classifies their responsibilities with functional and non-functional. He highlights the process of policy making and implementation of the local government level viz-a-viz the universal broad functions of councilors, non-portfolio councilors and the portfolio councilors in Nigeria. He stresses the importance of understanding roles expected of local government councilors, in order to be able perform when elected into political office.

Women Interest Organizations: Encounters with the State on Issue of Good Governance: A Case Study of Women in Nigeria

Olojede unfolds the contribution of women interest organizations (WIN) to political life and governance in Nigeria. She draws theoretical framework for the study from a feminist perspective. Olojede enumerates WIN's objectives, membership acquisition, and its programmes. Olojede demonstrates WIN altruistic and pragmatic efforts in fighting corruption and fore-installing good leadership during the military rule and even, in the civilian era. Considering the disadvantaged position accorded women in active participation in politics, She, therefore recommends proper participation, people's welfare and gender equity as panacea for good governance.

Towards Achieving the Qualitative Millennium Development Goals for Women in Poverty

Osunyanmi depicts that poverty is one of the major problems plaguing human existence in the 21st century, it manifests in diverse way in the lives of people and affects both albeit, in different ways.

She opines that, studies on poverty have shown that women and their children are the worst victims of poverty. She analyses the concept of poverty and how it affects women, she noted the Millennium Development Goals (MDGs) represent a set target that could reduce, if not completely eliminate the incidence of poverty. She stressed that; consideration must be given to these goals as a hope to alleviate poverty in lives of women, as the initiatives promise them equal opportunity with their male counterparts. She suggests measures that can make the attainment of the MDGs target as they relate to women.

Corporate Governance in the Nigerian Banking Industry

Akinbuwa and Erhun opine that, the issue of poor corporate governance has been a problem in the nation's banking industry overtime. They also emphasize that, this has necessitated the enactment of Corporate Governance code 2006 by the Central Bank of Nigeria. They also depict that, effective corporate governance is essential to maintaining public trust and confidence in Nigerian banking sector. They noted that, it also provides a crucial anchor for sound risk management practices. They however, identify enumerate the problems of corporate governance for bank's post consolidation in Nigeria. Hence, they proffer solution to some of these identified problems.

Alleviating Poverty through Local Government Entrepreneurial Ventures in Nigeria

Akinola submits that, in Nigeria, the persistence and pervasiveness of poverty in rural and local communities remains one of the most pressing social issues confronting rural governance in the country today. He opines that, all the federally motivated agencies and directorates that have operated and still operate in recent times in rural areas have failed to stimulate development at the grassroots.

He therefore, calls on Nigerian Local Governments to embark on entrepreneurial ventures such that they can utilize locally available resources for production of goods and services, generate employment opportunities for youths and consequently reduce the level of poverty.

Examination Malpractices: A Threat to Validity of Nigerian Public Examination Emily Oluseyi Adeyemo

Adeyemo posits that bribery and corruption has become a culture in Nigeria. So also Examination had become a serious menace that is threatening the validity of Nigeria Public Examination. She explains how it constituted a growing scourge in our society and why the issue attracted comments from concerned citizens because of the trends and the increasing rate of its spreading. She examines the incidence and the threat it poses on the validity of Nigerian Public Examination and also suggests the way out of the problems.

An Appraisal of Nigerian Foreign Policy on National Development

Erhun opines that, Africa has been the cornerstone of Nigeria foreign policy over the years. Nigeria has been playing the role of 'United State of Ecowas' a very great cost to the nation. She depicts, the need for a foreign policy that focuses on human development cannot be overemphasized if Nigeria is to meet the needs of this present millennium.

She therefore suggests the way to make economic development of Nigeria's foreign policy with the goal of enhancing the country's national development and creating benefit for betterment of the people.

Culture, Poverty and Maternal Mortality in Nigeria

Badejo in-depthly identifies low socio economic status of Nigerian women, poverty, ignorance, culture, poor road network, as well as insufficient assess to health facilities that permeates the relationship among culture, poverty and maternal mortality. She allures high maternal rate to broader economic, social and political crises characterizing health care as a luxury rather than a fundamental human right. With comparative illustrations from African women and other third world countries, she emphasizes culture and poverty as major causes of maternal mortality in Nigeria, often attributed and with early marriage, female genital mutilation, vesico virginal fistula, lack of education, ignorance and poverty. She therefore calls on the government, non-governmental organization, and international bodies to stand up to the challenge in the reduction of maternal mortality rate in Nigeria.

1

THE CONCEPTS OF DEMOCRACY AND GOVERNANCE

TUNDE AKINDELE AND D. O. ADEYEMO

Introduction

This paper examines the concepts of democracy and governance and their affinity or otherwise in our society. It is divided into five parts viz: the introduction, concept of democracy, concept of governance, the relationship between democracy and governance and finally the conclusion.

Concept of Democracy

Democracy as a form of political organization, like other concepts of its calibre, has not been easy to define without ideological equivocation (Akindele and Obiyan; 1996:84, Akindele and Olaopa; 1997:5, Akindele, 1995b; Akindele and Ajila, 1992:85-86; Akindele, 1992, Akindele, 1993 and Adeyemo 2000). The major problem in this area is that of ideological secretarianism vis-à-vis the nitty-gritty of democracy as a form of political governance hence, as Olowu (1995, *op cit*, 2) once opined, democracy as a "concept of governance has become all things to all men".

This being the case, what actually is democracy? As earlier stated, it is by no means a simple task to give a coherent definition of democracy in view of the different definitions already given. Many normative definitions of democracy had been given. Their general focus had been on value and norms of society. Empirical definitions of democracy, which focused on political reality, had also been given. While the normative definitions focused on shared beliefs and attitudes, the "normative-empirical" definitions combined empiricism and normative aspects of society.

The normative definition of democracy was variously approached by people like Thomas Hobbes, Jean Jacques Rousseau, John Locke, Thomas Jefferson, Abraham Lincoln, and John Stuart Mill. This explains why Thomas Hobbes, in his explanation of the social contract and its consequent by-product (state), treated the solitary, nasty, brutish and alienating state of nature as the catalyst for the volitional collective agreement - social contract - between men.

On the same token, Rousseau, in his work, identified people's surrender of "natural rights" for "civil rights" as the basis of the emergence of a social contract which created the general will of the people (Khan et. al., *op. cit.* 27-28). The creation of the general will through the social contract in Rousseau's view resulted in the existing state of nature when men were limited by their individual incapacities for self governance.

In addition to Hobbes and Rousseau, John Locke also theorized about the concept of social contract. However, unlike Rousseau's views of the individual's incapacibilities, John Locke believed that life in the state of nature was pleasant, but men were hampered by the absence of any socially recognized authority to adjudicate and settle disputes and conflicts between them hence the need for democratic government (*Ibid.* p. 20)

As for John Stuart Mills, he believed in the welfare of the individual, as well as individual liberties. Writing on Democracy and liberty, he maintained that the only way power can be, or, should be exercised over any member in the society against his will, is when it can be established that, such individual intends to injure, or, do harm to other (Rejai *op. cit.* 77). He further emphasized the notion of liberty within the framework of representative government. Along this analytical plane, argued, Awa (1997 *op. cit.*: 7, Akindele, 1993; Akindele et. al., 1998), Schumpeter (1955) defines democracy as:

the institutional arrangement for arriving at political decision, in which individuals acquire the power to decide by means of a competitive struggle for the people's vote.

Due to the nature of their reasoning, Rousseau and other theorists (e.g. Lincoln) mainly concerned with the welfare of the community as a whole, are classified into the "collectivistic school of thought", while John Locke and John Stuart Mills are classified into the "individualistic school" relative to the emergence of democratic system of government which emphasizes equality and liberty of men.

Representative democracy has been variously defined. In his book, *Democracy*, Burns (1935, 29-46) defined representative democracy as a system whereby "all (i.e. people) elected a few to do for them what they could not do together". On the same token, John Stuart Mill concentrated a significant portion of his writing on representative democracy. While accepting the desirability of equal participation by everybody in the affairs of the government, he nevertheless claims that, it cannot be realized. Instead, he argued that representative government is the perfect form of government (Mill, 1962: 73-74). But, he further argued that, for representative government to be democratic, it must be accompanied by universal adult suffrage, free elections, short terms of office and individual liberty. Without these things, any government will, in Mill's view, cease to be democratic.

Recently, and, in line with the catalyzing principles of the "fight against system of economic exploitation, political repression, cultural oppression" and, their accompanying "moral, political, economic and social decay" (Nzongola-Ntalaja, 2001), other scholars have come to increasingly pay attention to the issue of democracy and its propensity for good governance (Ade-Ajayi, 1982; Nzongola-Ntalaja and Lee, 1977; Omoruyi, 1993; Held, 1987; Olowu, Soremekun and Williams, 1995; Olowu, Williams and Soremekun, 1999; Wunsch and Olowu, 1990; Sartori, 1987; Olowu, 1995; Joseph, 1987, Chabal, 1992; Hyden, 1980, 1999; Hyden and Bratton, 1992; Olowu and Erero, 1997; Akindele and Ajila 1992, 1995, Akindele and Obiyan, 1996, Akindele and Olaopa, 1997, Enyinla, 1998; Bello-Imam, 1997; Obadan, 1998, Akindele, 1998, Peter Anyang Nyong, 1987). Infact, this explains why

Olowu et al (1995: IX) once opined that "democracy constitutes both the main buzz-word and activity of these times" in most polities of the world.

According to Nzongola-Ntalaja (2001), "democracy is a universal form of rule" which, even though, "may have variable manifestations in different historical and social settings", have such manifestations tied together by a common thread". Democracy in this sense, according to him, refers to "three basic ideas:"

- Democracy as a moral imperative, in the sense that it represents a permanent aspiration of human beings for freedom, for better social and political order, one that is more human and more or less egalitarian.

- Democracy as a social process, in that it is a continuous process of promoting equal access to fundamental human rights and civil liberties for all and,

-Democracy as political practice or a mode of governance based on the principles of popular sovereignty, the rule of law, accountability, participation and alternance (meaning leadership renewal or change) (Ibid).

In his contemporary contribution to the concept of democracy, Olowu (1995:16), opined that "democratic arrangement constitutes an approach to connecting the rule-ruler-ruled relationship" which forms the core of governance. This probably explains his definition of democracy as:

a system of governance that underscores the plural nature of politics and hence gives recognition to the diversity of social forces in any political community.

Olowu (1995:16), re-echoed this position by asserting that, “the bottom line of a democratic regime is that, it serves the citizens rather than the other way round” hence, as Ejituwu (1997) once claimed “power resides with the people and, in a normal democratic situation, it is transferred to the leaders by a process of election.”

In putting democracy into a proper perspective as a mechanism for enhancing people’s right to participate in making the decisions that affect them, Imam (1991), argues that:

Democracy must include the right of people to have their own aspirations and programmes, not only in political life, but also in economic, cultural, religious and other aspects of life. In other words, democracy includes ending the criss-crossing networks of oppression, exploitation and.

This position is supported by Omoruyi’s (1993), observation that:

today, democracy has certain known principles: participation, pluralism and restraint on authority and, (that), these principles are in turn associated with other terms: electoral systems, basic problems such as freedom of expression and association, guaranteed human rights, pluralism, public contestation, constitutional framework. All these tend to conjure for democracy, identical meanings, ideas, institutions and habit.

This explains why Obadan (1998:24), opined that “democracy and good governance (government) have, in recent years, become increasingly important for efficient economic management and development”. It equally explains Omoruyi’s (1993) position that “both democracy and good governance are necessary preconditions for development and, should therefore, be incorporated into the political systems” particularly in the continent of Africa.

The foregoing, put together, brings us to the analysis of the concept of governance.

Concept of Governance

The concept of governance like most of its kind has not been amenable to easy or simplistic definition. In other words, the concept has not been an exception to the volatility and eclecticism for which the disciplines in the Social Sciences have been globally noted whenever it comes to the conceptualization of core issues.

This notwithstanding, as Hyden (1999:24), once argued, “the concept of governance has come to occupy a more prominent position in the discourse of international development”. According to the World Bank (1993), governance has three dimensions. These dimensions which, Eyinla (1998), equally noted are: “the nature of political regimes; the exercise of authority in the management of social and economic resources and, the capacity of government to design and implement policy and to discharge its functions”.

These dimensions were specifically identified and concretely elucidated by Olowu and Erero (1997) who both conceptualized governance as relating to the “rule-ruler-ruled relationship.” Specifically, Olowu and Erero (*Ibid.*) identified the three dimensions of governance in the context of “rule-ruler-ruled relationship” as inclusive of “functionalism, “structuralism” and “normativism”. According to them, functionally, governance deals with “rule-making, legitimization, and enforcement” while it structurally comprises of three distinct institutions: the “ruler or the state”, the “ruled or the society” and, the “rule of law”. In this regard, Olowu and Erero (*ibid*) viewed governance as the “relationship between state and society institutions”. In the same vein, they claimed that “normatively, this relationship highlights the values associated with good governance”. These values according to them include: “transparency, organizational effectiveness, accountability, predictability, legitimacy, popular participation and plurality of policy choices”.

Within the same context, Boeninger (1992), defines governance as the ‘good government of society’. According to this scholar, governance has three dimensions: political, technical and

institutional. Nkom and Sorkaa (1996), synopsized the interrelatedness of these dimensions thus:

The political revolves around the commitment to exercise authority or public control in a just, legitimate and rule oriented fashion. The technical concerns issues of efficiency, competence or the capacity to manage public affairs effectively to solve problems, and to produce good results in resource mobilization and public management. The institutional involves options, choices and growth – enhancing activities by the public while ensuring honest or good conduct on the part of the public officials.

In his contribution to the conceptual discourse on governance, Idowu (1998:74), had this to say:

governance refers to the functions undertaken by a government maintaining a unified state, defending its territorial integrity and running its economy... It (equally) means the effective and efficient functioning of government towards securing the well-being of its citizens.

Jega (1999:101), analyzed the concept of governance in relations to the “person entrusted with political power and authority”. In this regard, governance according to him, involves the following:

- (a) responsibility and responsiveness in leadership and in public service;
- (b) accountability in the mobilization as well as in the utilization of resources;
- (c) discipline, effectiveness and efficiency in handling public (as well as personal) affairs;
- (d) Selflessness and impartial service to the people; and
- (e) Popular participation and empowerment of the people in the conduct and management of their common affairs (Ibid).

For governance as the “duty of government to see to the orderly and stable management of the economy” (Ukpong, 1999), to have the foregoing attributes and, be effective, efficient and beneficial for democratic political arrangement, it has to be good. This is more so, since we can, as well, have bad governance.

The possibility of bad governance could be said to be what the World Bank had in mind in 1989, when it began to dichotomize between good and bad governance by “advocating a political reform approach to government as a way of ensuring positive economic growth” (World Bank, 1989, Idowu, 1998).

Infact, the World Bank (1992), identified the features of bad governance as follows:

- Failure to make a clear separation between what is public and what is private, hence a tendency to divert public resources for private gain;
- Failure to establish a predictable framework for law and government behaviour in a manner that is conducive to development, or arbitrariness in the application of rules and laws;
- Excessive rules, regulations, licensing requirements, etc, which impede the functioning of markets and encourage rent-seeking;
- Priorities that are inconsistent with development, thus, resulting in a misallocation of resources;
- Excessively narrow base for, or nontransparence, decision-making.

This explains Obadan's (1998:25), characterization of bad governance as a system dominated by "ugly problems like pervasive corruption, lack of public accountability and "capture" of public services by the elites among others".

These, put together, lead us to the discussion of good governance at this point of the paper. The need for good governance is not far fetched looking at the fact that:

If governance is arbitrary, oppressive and capricious, the collective psyche of a people can be damaged and individuals within the community can suffer various forms of disorientation. If, on the other hand, governance is open, democratic and humanistic, a people can experience a sense of rejuvenation and fulfillment, which can lead to highly positive achievements (Ogunba 1997 op.cit: 1).

Commenting on good governance, Esman (1997:1), argued thus:

before governance can be considered good, government has got to be effective. It must first command the respect and allegiance of the people over whom it exercises governance and, must satisfy certain basic collective needs.

He went further to identify some minimal elements and/or essentials of effective (good) governance as inclusive of: "provision of security for the people", "defence of the territorial borders of the state", "protection of lives and property," "enforcement of laws to enhance predictability" and, "economic development". According to this scholar, "governance requires the ability to ensure the wherewithal of sustained government". He equally asserted that "effective (good) governance requires that public authority be able to raise the revenues necessary to pay for services that must be provided". The essence of this argument is that, "effective governance must be able to make possible the performance by the state of certain basic services" – transportation, communication, education and health services – "relatively cheaply and reliably" (Erero, 1996, Esman *Ibid*).

This is more so, since effective governance means the capacity of the state - through its power of determinism or, authoritative allocation of scarce critical societal resources – to deliver the basic necessities of life to the governed and, equally "facilitate the process of economic development".

These lines of argument tally with those of Obadan (1998:25) and Amoako (1997:10), who have posited that:

good governance implies efficient and effective public administration, good policies and sound management of natural resources. It calls for the ability of a state to anticipate challenges to its well-being, provide core services with people and then argument these services, act as a catalyst of change, and guide the various forces in a society toward harmony (and national development) devoid of ideological imperialism and multi-dimensional genocidal tendencies) (Emphasis mine).

Pursuing the same line of argument, Obadan (1998), further claimed that:

Good governance implies ruling on the basis of equity and social justice, and an end to corruption, nepotism and political manipulation of public institutions. Only when citizens have the belief that their government operates on their behalf, in an open and accountable manner, will government be able to obtain their willing co-operation in, for example, mobilizing resources for development.

Driving home this line of argument, Obadan (*Ibid*: 34), emphasized that, through good governance, a government should be able to effectively perform, among others, the following tasks:

- Establishing a foundation of law;
- Maintaining a non distortionary policy environment, including macro-economic stability;
- Investing in basic social services, infrastructure,
- Protecting the vulnerable group in the society; and
- Protecting the environment.

Other scholars have considered good governance vis-à-vis the *raison d'être* of statehood in this manner as well (Kaufman, Kraay and Zoido-Lobaton, 1999; Corkery and Bossuyt, 1990; Healey and Robinson, 1992, 1994; Bello – Imam, 1997; Ayo and Awotokun, 1996, 1997; Nkom and Sorkaa, 1996; World Bank, 1989, 1992, 1993). These scholars' works on the concept of good governance treat it as a system of rulership that is devoid of political expediency and antidemocratic political ends. It is deducible from their works that, good governance stands for dignified existence of all political animals in democratic political settings within the global political community. According to Obadan (1998:24), "good governance consists of five fundamental elements". He listed them thus:

- Accountability of government officials (political leaders and bureaucrats) for public funds and resources;
- Transparency in government procedures, processes, investment decisions, contracts and appointments. Transparency is a means of preventing corruption and enhancing economic efficiency;
- Predictability in government behavior. This is particularly critical to the carrying out of economic transactions between individuals and in taking investment decisions: governments and public institutions should not be capricious in their behaviour and actions;
- Openness in government transactions and a reliable flow of the information necessary for economic activity and development to take place. Without information, rules will not be known, accountability is low, and risks and uncertainties are many. With these the cost of committing capital is also huge. An open system should, thus, be encouraged to release information to stakeholders and promote dialogue among the people as well as ensure their active participation in the socio-economic development of the country
- Observance of the rule of law must be adhered to by government and its citizens; this means that governments and institutions should be subject to rules and regulations, which are understood by everyone in the society (*Ibid*).

Relationship between Democracy and Governance

From the discussion of the concepts of democracy and governance within the context of this paper so far, we found it innocuous to contend that, the affinity between the two vis-à-vis the governance of men and/or the relational thrust between the "ruler" and the "ruled" within most political systems particularly, the democratic polities of the world, is self evident. Without gainsaying, it is deducible from this discussion and/or analysis that both concepts constitute the traditional and contemporary flashpoints, which cannot but provoke the mind-set of the elites and the laymen in equal measure. The concepts are both fundamental and inalienable vis-à-vis the socio-political and economic systemic existence of all human beings within the various if not all polities of the world today hence, as Obadan (1998:39) rightly argued, "when democracies are working well, they tend to create strong incentives for accountability, good governance and development.

This is particularly so, if as Hyden (1995:58), once opined, “no society escapes its past” and, if “there is a definite path dependency” that “bears on the present”. It is equally more so if “building democracy is not an exercise that starts from a clean state” (but), on the “ruins of the past order”.

The political history of most African states (particularly Nigeria) with respect to the issues of democracy and governance becomes relevant in this regard. For example, as Esman (1997:2) once argued:

Most African states took over from centralized and unrepresentative colonial ethnic and religious separatism – tribalism – and become victims to centrifugal aspirations of ambitious politicians speaking in the name of ethnic, religious and regional minorities.

Government (in Africa) at this time was not based on the consent of the governed and, the latter had no voice in choosing their leaders who were not really accountable to them. Joseph’s (1987) study of prebendalism in Nigeria and, his “argument that the rulers in Africa are unable to act independently of the community they serve” echoed this. This explains why Hyden (1999), once claimed that, “the state in Africa failed to live up to the expectation people had in them in the first two decades of independence”. In fact, as Nzongola-Ntalaja (2001) noted, this was the case, because the leaders at that period of time were “more interested in advancing their own narrow class interest whose realization require authoritarian methods of rule and neglect of the general welfare”.

This trend, the reasons for it, and, its consequences which, in part, catalyzed the quest and struggle for alternative paradigm (democracy) vis-à-vis the governance of the African people and, which has attracted the intellectual attention of scholars of repute - (See Migdal 1988; Chabal 1992; Hyden 1980; Rweyemamu and Hyden 1975) – were equally clearly put into perspective by Olowu (1995); Wunsch and Olowu (1990), Hyden and Bratton (1992), Hyden (1999), Olowu and Rasheed (1993), Dia (1993), Makinde and Aladekomo (1997), Erero (1996), Nzongola-Ntalaja (2001). Specifically, commenting on the disillusionment about the inherited legacy of state – based, monocratic or centralized political order adopted in Africa at the inception of independent democratic governance, Olowu (1995), claimed that:

the monocratic political order (which derives from the Hobbesian notion/conception of the state) not only failed as a system but led to serious and in some cases disastrous consequences for the economy and people of Africa.

These consequences include: wars, political violence, economic decline, systemic governmental corruption and, social and infrastructural decay.

This failure, according to Wunsch and Olowu (1990), Olowu (1995), Nzongola-Ntalaja (2001), was due to the “premature centralization” and, the “development of democratic process by fits and starts” (Akinkugbe 2001) due to over assumption of its political utility and relevance to the needs of the people.

This, consequently, led to the agitation for democratic political change and good governance in most African states, Nigeria inclusive (Nzongola-Ntalaja, 2001). The spontaneous angry reactions, civil disobedience, demonstrations by Nigerians following the annulment in 1993 of the June 12, 1993 presidential election are a case in point.

Democracy as we come to know and think of it today, to be meaningful as a mechanism of governance, it has to encompass the elements and/or essentials of (good) governance as articulated within the context of this paper.

Conclusion

The concept of democracy and governance has been theoretically analyzed in this paper. In doing this, the central thesis of democracy as a form of political organization was examined giving

prominence to its ancient roots, and, the philosophical and intellectual attentions it has attracted over the years.

Against this background, its linkage with the governance of men in the past and current period was theoretically attempted. From these efforts, it was discovered that, practically, political animals, all over the world and, particularly in Africa and indeed, in Nigeria attached serious importance to democracy as a mechanism of political governance. And, that, through it, pluralism, rule of law, legitimate rule, accountability and fair representation of the societal interests could be pursued and made manifest for the betterment of mankind.

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GRASSROOTS DEMOCRACY: A THEORETICAL DISCOURSE

KUNLE AWOTOKUN

Introduction

Unlike in the natural sciences, concepts in social sciences can bear different and conflicting understandings. Until, recently, concepts like democracy, grassroots democracy are often pregnant with meanings depending on the contextual and ideological orientation of the person taking the lead. However, since the end of the cold war, there seem to be some general agreement as what really constitute democracy. This is not suggest however that there are no conflicting definitions to the term.

What we have set out to do precisely in this chapter is to analyze some of these definitions in light with our own perceived understanding of the terms. We must quickly add, that definition of terms of this nature are hardly exhaustive, therefore there is no pretension about our own limitations. What we have set out to do is to first discuss ‘democracy’ as a concept and later link it with ‘grassroots democracy’. If we are able to accomplish this task, then our goal in this chapter must have been realized.

Conceptualization of Terms

Democracy, as widely conceived connotes the sovereign will of majority in the political process of a given community of people. It is probably for this that Boutros Boutros-Ghali it sees it as “a system of government which embodies, in a variety of institutions and mechanisms, the ideal of political power based on the will of the people¹. Therefore we have to conceive the notion (democracy) as a governing mechanism which must necessarily incorporate the rule of majority for the overall welfare of the society, including the opposition or the so-called minority elements. It is a system of government, which accepts the plurality of opinions as a necessary condition of good governance.

In order to determine who govern the society on behalf of the mass of people, there must be institutionalized elections based on the free choice of the people. It is probably for this reason that Robert Dahl conceives of democracy as:

A system of government that meets three essential conditions: meaningful and extensive competition among individuals and organized groups (specially political parties) for all effective positions of government power, at regular intervals excluding the use of force; a highly inclusive level of political participation in the selection of leaders and policies, at least through regular and fair elections, such that no major (adult) social group is excluded; and a level of civic and political liberties ... freedom of expression, freedom of press, freedom to form and join organizations ... sufficient to ensure the integrity of political competition and participation.²

In the same vein, James R. Scarit and Shadeen Mozzafar perceive of democracy a set of constitutional rules, which underscore the following:

First, access to public offices in which effective government power is vested in and must be determined by contestation at regular intervals, second the outcome of this contestation (as who will occupy public offices and policies they will formulate and implement) must be determined by the free-board based participation of all eligible citizens

*and some form of majority rule; and third, the civil and political liberties of citizens must be guaranteed against government infringement to ensure that they can freely join and establish civil associations and political groups, express and debate a diversity of ideas and choose public officials.*³

In all these two definitions, three basic elements can be discerned. One, democracy must be based on mutual veto or concurrent majority rule which serve as additional protection of vital minority interest. Two, the political representation, including civil service appointment must necessarily be based on proportionality of the population. Three, there must be a high degree of autonomy for each segment of the society to run its own internal affairs⁴.

Democracy as concept must be rooted in the society. It therefore follows that the viability of the state upon which democracy must be practiced must be ensured at all times. For instance, the extent to which the state apparatus is willing to create conditions for free and fair elections will determine how far its democratization process will go. All the institutions i.e. legislative, judiciary, free press, civil society etc ... necessary for the survival of democracy must be free from the manipulation of the power that be.

Democracy must also be founded on a good political culture, which respects the rights of individual and the changeability of government without resorting to violence or intimidation. The elections must necessarily assure the opposition that they have 'some chance of winning and taking office'⁵. Extolling the virtue of institutionalized opposition in the governing process, B. O. Nwabueze writes *inter alia*:

... Democracy has little meaning without a free competition between associations of persons with opposing ideas about government... without an organized party in opposition, government may tend to take the people for granted and may become unresponsive to their feelings... the political responsibility of the government to the governed can only be realized in the context of an organized opposition party alert to expose to the public the weaknesses and failures of the government, and capable of accepting the mantle of office should the people be inclined to bestow that upon it.

Hence, democracy must be anchored on competitive party system to enable electorate to make their free choice and based on their ability to discriminate among the various programs of the political elite seeking their mandate to govern.

Mass participation or community involvement in the political process is very crucial variable in consideration of the concept 'democracy'. It is only through mass participation in decision-making on the issues that affect the lives of citizens, that the legitimacy of a government can be justified. It is needless to state that a government without legitimacy is the very antithesis of democracy. However, it is this notion of mass involvement in decision-making that has prompted our work on grassroots democracy.

By grassroots democracy, it meant the systematic involvement of the citizenry of a country in the decision-making process. It involves the degree of the involvement of the people in shaping the policy process of the government. It is hoped that in the process of influencing the political process of a government, the people themselves will build democratic culture based on consensus. As Daniel J. Elazor puts it:

The political culture of communal (grassroots) democracy is oriented toward the kind of self-restraint that comes from multiple and multigenerational interlocking ties needed to preserve community while also emphasizing a concern for the direction the community will take. Although it emphasizes consensus, it also allows for vigorous contests to define the consensus. It is oriented more toward consultation than confrontation in decision-making, although confrontational methods

may be used to bring about consultation under appropriate circumstances.

Be that as it may, it is also intended in this chapter to discuss why our focus has been on grassroots democracy, as opposed to nation-state democracy, which is common in the literature.

Why Grassroots democracy?

It is important to stress that we are not unaware of diverse opinions regarding localization of democracy, which this work has sought to advance. Many view national democracy as implying harmonization i.e. the ability of the political system to contain all centrifugal (forces) as to make for centripetal. For instance Whalen, has defined local government in such a way as to make it incompatible with this presumptuous stance of democracy⁸. For Langrod:

Democracy by definition is an egalitarian, majority and Unitarian system. It tends everywhere and at all times to create a social, a community which is uniform. Leveled and subjective to rule... On the other hand local government is by definition, a phenomenon of differentiation of individualization of separation. Thus, since democracy moves inevitably towards centralization, local government by the division, which it creates, constitutes, all things considered, a negation of democracy.⁹

This type of argument is not only self-defeating but cannot stand the rest of time. Local governments where they have been truly constituted, have successfully bridged the gap between the center and the units. To us this is the whole essence of 'egalitarianism' which democracy seeks as its goal. This goal is rather utopian as there is nowhere in the world where democracy has led to absolute unity let alone egalitarianism. Indeed, it is the ability of the political system to aggregate the negative and positive tendencies that make for democracy.

In Nigeria, the ability of the national democracy to survive will depend largely on the amount of concession it can grant to local particularism. This notion has been underscored by Mill:

The very object of having a local representation is in order that those who have any interest in common, which they do not share with the general body of their countrymen, may manage that joint interest by themselves.¹⁰

Local representation can only be fostered by building grassroots democracy. Hence grassroots democracy becomes a sine qua non for the management of public affairs in an ethnically diverse country like Nigeria. In other words, in a society that is largely less-informed on public affairs, grassroots democracy has become a veritable source of political education. This is because it is smaller in size and number and its members can easily be reached. In a way it is like resuscitating the old idea of Greek city-state democracy. In extolling this idea De Tocqueville wrote:

Town meetings are to liberty what primary schools are to science: they bring it within the people's reach, they teach men how to use and how to enjoy it.¹¹

In terms of political participation, grassroots democracy has more participatory utility and in all, it is more relevant to the people of low estate, who are in the majority of the country's social strata than nation-state democracy. This argument is premised in the fact that owing to the closeness of such government to the people, and the sense of commonality and togetherness, which it engenders, people who would not have otherwise participated in national politics, are persuaded to be involved in local governance.¹²

But in the case of local bodies, besides the function of electing, many citizens in turn have the chance of being elected, and many, either by selection or rotation, fill one or other of the numerous local executive offices. In these positions, they have to act for public interest, as well as to think and to speak, and the thinking can not all be done by proxy. It may be added that these local functions, not being in general sought by the higher ranks, carry down the important political education, which they have the means of conferring, to a much lower grade in society.¹³

It is also envisaged that grassroots democracy will inevitably breed better political understanding between the units and the national government. By share concession of the right to choose their leaderships that will possibly serve as the bridge between them and national government, the much necessary seed of stable democracy would have been planted. This of course, must be followed by adequate political and financial autonomy, which will ensure the capability of the local government to provide adequately for the citizenry.

Owing to face to face relationship (interaction) within the consistent units of local democracy, it is much easier for people to demand accountability from their leadership than the national government. Often people use different methods both conventional and unconventional means to ensure proper accountability on the part of their leadership. It is therefore notoriously easier to nip in the bud corrupt and unaccountable leaders.

Grassroots democracy will also help contain the fissiparous tendencies on the part of more power granted this level of government, the better for stability of the political system. This unit of government will provide a sense of identity and emotional balance to its members against the centralization tendency of nation-state government. As B. C. Smith has aptly said 'Local self-government will, by definition, preserve the liberty of the local community against centralizing power.'¹⁴

Grassroots democracy, presents the best way to efficiently manage local affairs and services, as local government claims to know the people and their yearnings. If this claims to know the people and their yearnings. If this theoretical assumption is valid, then we can postulate that its share intimacy with the people, local democracy can engender responsiveness. It is needless to stress that, it is failure of the national government in this regard that has intensified the pressure for establishment of purposeful local democracy that is capable of meeting the needs of the people on a daily basis.

We can also claim that before any administration can be responsive, its policy output must be based on adequate knowledge of the people it is meant to serve. Local knowledge is thus seen as a prerequisite to successful democratic effort. Grassroots democracy, no doubt, stands at a better advantage to harness the local administration and the citizenry of a country. In other words, the local government apparatus of representation (councillors) will also appreciably bring the people and the local governments together more than any nation-state democracy could claim. This close contact will help produce the much necessary rapport capable of meeting the yearnings and anxieties of the people. As B. C. Smith has aptly observed 'because of its frequent contacts with the public the local administration becomes aware of popular feelings towards local policies and can bring them to the attention of the relevant policy makers'.¹⁵

Grassroots democracy is technically speaking meant to play a symbiotic role, one, which is to properly organize its local representatives into responsible actors. The other is that since human desires are endless, most of these local actors will eventually graduate to becoming political actors at the centre. The stint in local government will no doubt provide immeasurable political training and experience to political elite. As Shape has succinctly argued that:

Smaller units of government, produce more responsive political leaders, make participation easier and are more likely to be socially homogenous, thus producing clearer majorities for decision-makers.¹⁶

Be that as it may, it can be argued also that cultural, linguistic and economic diversity without threatening the national goals and stability. It is for this that Maddick argued:

*Local democracy is necessary for national unity. In large countries with great social and economic diversity it is felt necessary to satisfy the legitimate political aspirations of subgroups, particularly those who are ethnically distinct.*¹⁷

In most cases, local democracy with adequate autonomy will provide a safety valve for ethnic diversity and primordial loyalties. Through the history of mankind, it has been unmistakably revealed that 'a sense of place' leading to 'a sense of identity' are of ultimate importance to every cultural and linguistic group. The sense of national identity increases with adequate recognition of the diversity inherent in a polity.

If grassroots democracy is evolved to mean a limitless participation of the people in their own affairs, it could be argued as well that such participation (if properly channeled) will go a long way to alleviate the rural masses from their objectionable condition of life (poverty). The more the grassroots are organized according to democratic principles, the more they will be able to organize themselves to redress the socio-economic impediments which set them apart from the rest of the society. It is believed that since they constitute the poor majority they will be able to employ their votes in a discriminatory manner to better their lots.

It is within this context that a grassroots democracy project/sub discipline of human endeavour is fashioned.

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CONCEPTUAL ANALYSIS OF ACCOUNTABILITY AND TRANSPARENCY IN GOVERNANCE

D.O. ADEYEMO & G.C IHEMEJE.

Introduction

The issue of accountability and transparency in governance has become highly sensitive and topical both at the international and national arena. Put in another way, it prevails both at the public and private realms, either theoretically or practically. Attention attached to these concepts is not unconnected with the turbulent nature of the political and economic environment, more of the developing nations. This global attention as shall be considered in our discourse, constitute a paradigm shift from the old order to a new order of governance.

The concept of accountability in ethics has provoked several meanings. It is often used interchangeably to connote responsibility, responsiveness, answerability, enforcement, blameworthiness, liability and other terms associated with the expectation of account giving.

Since our main focus in this work posits on explication, synthesis and postmortem of governance within the ambits of two variables, accountability and transparency, we therefore give a tips of the iceberg as to what governance entails.

Governance as may be perceived by a layman on the street is about leadership and control of people and properties. However, there is more to it than just ordinarily hinting it to leading group of people perhaps organization, or even controlling a state. It thus becomes pertinent to note therefore, that it is nebulous and ubiquitous while and when conceptualizing. Exercising power and decision making for a group of people is called governance. It happens everywhere from urban to rural villages as the well-being of a community depends on the choices made by the people granted this authority. Due to the diversity of organizational structures around the world, people such as landlords, heads of associations, cooperatives, NGOs, religious leaders, political parties and of course, government are all actors granted the power to govern.

Road Map to Conceptual Clarification

Transparency and accountability are generally understood by Scholars as operating in two closely interrelated but still distinct spheres. Regarding transparency, there is a fundamental, the broader relationship between civil society, the public, the press and NGOs – and government and second, the narrower relationship the executive and the various organs – parliament and its committees.

By accountability, there is a similar dichotomy, referring to the ‘.....obligation of government to explain and assume responsibility for its actions...’ as well as the ‘...financial accountability that pertains to budgeting and financial matters in general’ (Blendi Kajsiu, 2003).

Again, accountability is the acknowledgement and assumption of responsibility for actions, products, decisions, and policies including the administration, governance and implementation within the scope of the role or employment position and encompassing the obligation to report, explain and be answerable for resulting consequences (Humanitarian Accountability Partnership International 2005).

In a more political parlance, the term is associated to political finance which is influenced by relations between parties, politicians, party membership and the electorate. This is true because money matters most for democracy because much of democratic political activity simply could not occur without it (Marain Walecki, 2006:7). The objective of disclosure of political finances is to make politicians’ account to a subject of public knowledge and political

debates. And as such, assuming private, funding as a constant, regular public funding diversifies the sources of funding which will hitherto affect proper accountability.

A departure from accountability comes transparency. Transparency has led a varied lifestyle. It has appeared in poetry (Gordon, 1969), Post-Modernism (Baudrillard 1993; Vattimo 1992), Philosophy (Westphal, 1986), Political Analysis (Wall, 1996), Psychology (Tagiuri *et.al.* 1955) and Studies of Accounting (Canning and O'Dwyer 2001, Drew 2004, Gray 1992, Humphrey et al 1995, Sikka 2001, Zadek and Reynard 1995).

Claims that organizations and/or governments should be or must be transparent appear to be arguments in favour of making organizational 'bodies' complexly visible. For example, a call for organizations to recognize their environmental responsibility suggests that:

“The development of accountability...increases the transparency of organizations. That is, it increases..... the number of things which are made visible increases the number of ways in which things are made visible and, in doing so encourages openness. The 'invisible' of the organization becomes more visible, that is, transparent”. (Gray, 1992:415)

The importances of transparency are paraphrased below (Blendi Kajsu 2003):

- i. Transparency is a necessary (but not sufficient) condition for the informed and effective involvement of the public in security issues.
- ii. Transparency is not a goal in itself but rather a vehicle for ensuring that a country's security sector works for the community it is supposed to serve.
- iii. Transparency provides the best defence against corruption and the best guarantee against abuse of the popular interest.
- iv. Transparency is of fundamental importance in ensuring effective civil-military relations and successful security sector reform.
- v. Transparency is a prime pre-condition for accession to NATO, EU and the AU.

The concept of 'governance' is not new. However, it means different things to different people; therefore we have to get our focus right. The actual meaning of the concept depends on the level of governance we are talking about, the goals to be achieved and the approach being followed.

It is pertinent to state that politics provides a means, platform and vehicle by which the governance process operates. The World Bank defines 'governance' as the exercise of political authority and the use of institutional resources to manage society's problem and affairs (World Bank, 1991). This interpretation signifies specifically political control.

A similar definition has been subscribed by the Worldwide Governance Indicators project of the World Bank as:

“The traditions and institutions by which authority in a country is exercised”. There is a consideration in the process by which governments are selected, monitored and replaced, the capacity of the government to effectively formulate and implement sound policies and the institutions that govern economic and social interactions among them.

The United Nations Development Programmes Regional Project on Local Governance for Latin America defines it this way:

“Governance has been defined as the rules of the political system to solve conflicts between actors and adopt decision (legality). It has also been used to describe the “proper functioning of institutions and their acceptance by the public (legitimacy). And it has been used to invoke the

efficacy of government and the achievement of consensus by democratic means (Participation)

Apparent deduction from the above assertion characterizes 'governance' with the tenets of legality, legitimacy and popular participation for it to be credible, viable, visible and workable in its truest sense.

In this connection, the definition provided by *Webster's Third New International Dictionary* (1986:982), is one of the assistance, indicating that governance is a synonym for government, or "the art or process of governing, specifically authoritative direction and control". This interpretation basically focuses on the effectiveness of the executive branch of government.

A more liberalized political and economic thought reflects a worldwide view on governance involving issues of greater state responsiveness and accountability, and the impact of these factors on political stability and economic development.

Attention paid to special relevance of 'governance' would mean to apply our minds to the definition offered by the World Bank in *Governance for the developing world*:

"Good governance is epitomized by predictable, open and enlightened policy making, a bureaucracy imbued with professional ethos acting in furtherance of the public good, the rule of law, transparent processes, and a strong civil society participating in public affairs. Poor governance (on the other hand) is characterized by arbitrary policy making, unaccountable bureaucracies, unenforced or unjust legal systems, the abuse of executive power, a civil society unengaged in public life, and widespread corruption".

The proposed definition by the World Bank reflects the state of the developing democratization, and ushering with it a prescription on how democracies can be harnessed and enhanced from a poor to good stage.

Theoretical Framework

Current debates on governance anchored within the nexus of transparency and accountability or vice versa, would not benefit, attain or actualize an adequate analysis of eluded and/or devoid theoretical underpinning.

This study adopts Gerry Stoker theory of 'governance'. Gerry Stoker is a Professor of Political Science in Department of Government, University of Strathclyde, Glasgow. It is important to state that the contribution of the governance perspective to theory is not at the level of causal analysis, nor does it offer a new normative theory. The chief essence is promised on its value in organizing framework, body of the work, making recommendation, as well as prescriptions. Bear in mind, the value of the governance perspective rests in its capacity to provide a framework for understanding trends and changing processes of governing. Such that governance signifies 'a change in the meaning of government, referring to a new process of governing; or a changed condition of ordered rule; or the new method by which society is governed' (Rhodes, 1996:652-3). Although academic literature on governance is eclectic and relatively disjointed (Jessop, 1995). Its theoretical roots are enormous, institutional economics, development studies, political science, public administration, legal studies, feminism, organizational studies and international relations.

According to Gerry Stoker, there are five basic theories that can be used to examine and clarify governance. These are the propositions:

1. Government refers to a set of institutions and action that are drawn from but also beyond government.
2. Government identifies the blurring of boundaries and responsibilities for tackling social and economic issues.
3. Governance identifies the power dependence involved in the relations between institutional involved in collective actions.

4. Governance is about autonomous self-governing networks of actors.
5. Governance recognizes the capacity to get things done which does not rest on the power of government to command or use its authority. It sees government as able to use new tools and techniques to steer and guide.

First, a set of institutions and actors portray some sort of complexity in ensuring a large scale of the modern government drawn from different parts of the globe while creating a lightly functionally differentiated system. Broadly the governance perspective challenges conventional assumptions which focus on government as if it were a 'mere statute' institution hijacked, divorced and disconnected from wider societal forces, bringing about huge confusion, risk, misfortune, losses, and other related uncertainties. For instance, the research conducted for the ESRL Local Governance Programme depicts that the emerging system in which responsibilities are shared between local authorities and a range of other public and private providers lacks strong normative underpinning in public opinion (Miller and Dickson, 1996). There and then, the public demonstrated a strong preference for organization and control of local services to be in the hands of an elected council as against appointed bodies or private sector providers.

The question now is, how governance can be considered effective, efficient when it lacks total or partial legitimacy. How can it be in conformity with Beetham's (1991:19), dimensions to legitimacy:

- a. Conformity to established rules;
- b. The justifiability of the rules by preference to shared beliefs;
- c. And the express consent of the subordinate to the particular relations of power.

Second perspective dwells on the governance recognition in the blurring of boundaries and responsibilities for tackling social and economic issues. A concern with 'active' citizenship links governance to wider debates about communitarianism and 'family' values. Governance is connected to the concern about social capital and the social underpinnings necessary to effective economic and political performance (Putmann, 1993), yet there have been extensive changes in the urban services with entire areas becoming dominated by private enterprises and a few company names – Generales des eaux, Rentokil – gaining wide recognition and significance (Lorrain and Stoker, 1997). Other areas include the infringements done on the fundamental human rights majorly in the developing world. Fundamental Human Rights was put in place by the United Nations in 1948 to protect the right of every individual regardless the race, colour, gender, place or time, even occupation being non-discriminating tenets (NTA News, Dec., 10, 2009). Political commitments become germane for those who have been vulnerable to the unrealisation of that very ideal of those inalienable rights.

Third criterion anchors and identifies the power of dependence involved in the relationships between institutions involved in collective action. Governing from the governance perspective is always an interactive process because no single actor, public or private, has the knowledge and resource capacity to tackle problems unilaterally (Kooiman 1993). Very obvious, mostly in less developed democracies that National level government or another institution may seek to impose control, but there is persistent tension between the wish for authoritative action of others (Rhodes 1996). The Nigeria's case of the third term agenda bidden by former President of Nigeria, Chief Olusegun Obasanjo, and with the ushering of his successor, President Umar Musa Yar'Adua demonstrates the growing analogy of this third paradigm. The handing over was unwilling, adamant and unwishful, and such further culminated the suffering of the masses. To imagine that a country is the heart of Africa, Nigeria, tantamount to total collapse is being led without a President due to the sick state of the Head of State made the nation to be bereft of altruistic leadership. Governance implies a greater willingness to cope with uncertainty and open endedness on the part of policy framers. To what extent does this become obtainable in the Nigerian State or among other third world countries? One may be correct to say that opportunistic behaviour can add to the complexity and uncertainty of outcomes. Just as Hirschman (1991) argues, not all unintended effects are necessarily perverse. This means unintended is not necessarily undesirable.

Governance in its fourth classification suffers autonomous self-governing networks of actors. Such networks are related to the policy committees and other forms of function or issue based groupings much discussed in the policy studies literature (Atkinson and Coleman 1992, Nash and Rhodes, 1992). Governance networks, however, involve not just influencing government policy but taking over the business of government. This is directed towards international regimes, being systems of norms and roles agreed upon by states to govern their behaviour in specific political contexts or issue areas (R. Hberger, 1995). In short, regimes are a response to the challenge of governing without government (Mayer et al., 1995). The activities involves coming together of state actors even though the participation of non state actors is not entirely neglected or undermined (Hauffer 1995). The issues here are the maintenance of accountability in the emergence of such self governing networks. One foresees more of an accountability deficit with the individual constituent elements of the network and those genuinely sidelined. A way forward for this fourth category is that self governing can be more achievable domestically rather than collectively though each with its limitations.

On the final perspective, governance is perceived to hold tenaciously the capacity to get things done which does not rest on the power of government to command or use its authority. Does it see government as been able to use new tools and techniques to steer and guide. A recent 'mission statement' for local government in the United Kingdom gives an indication of what might be involved (Hill 1996). In a more general way Kooiman and Van Vliet (1993:66) classifying 'the tasks of government in a governance' in the following viz, (i) Composition and coordination; (ii) Collaboration and Steering; and (iii) Integration and regulation. The paradox of the governance perspective prevails often, even when government develops what seems appropriate as a scheme, code or technique, failure frequently occur. Orr and Stoker's analysis (1994) of difficulties of Detroit explains failures in the light of leadership, differences in time scale and horizons among key partners and the depth of social conflict. The concept of governance failures suffer the need for a rethink beyond retooling or rescheming of government to a broader concern with the institutions and social and economic fabric beyond government.

To be able to steer up governance in a more proactive way considering Gerry Stoker's model, we proffer: re-evaluation of policies, robustness of principles and ethics, sensitively and motivational ingenuity, public defendability cum openness, flexibility on the choice of leadership. This framework has been adopted to ascertain public accountability and transparency in Governance.

Analytical Exposition on the Workings of Accountability and Transparency in Governance

Our focus here is to explicate the templates at which accountability and transparency have either been instrument or instrumental in various workings in governance regardless space, time and resources. Nevertheless we may educate although by slight digression that many abound the typologies of governance and accountability. Governance ranges from its global form, corporate, project, information technology, and participatory. While accountability kinds include political, administrative, market accountability, constituency relations and its public/private overlap. Transparency on its own stand points permeates and transcends at both private and public realms or at either governance stage or accountability perspective.

The fact still remains very germane and apparent in third world countries; particularly in Nigeria that governance has not been fair or favourable towards the electorates. It has hitherto been bad rather good. It is not far from the point that Nigeria is the most notorious nation where nothing works, no electricity, no portable water supply, no food for the people, anywhere; no integrity, no transparency, no efficiency of any kind, no democracy, no government and above all, no credible elections (*The Nation* 2009:15).

Good governance is, in short, anti-corruption where as authority and its institutions are accountable, effective and efficient, participatory, transparent, responsive, consensus-driven and equitable. These are the major characteristics of good governance as offered by the United Nations (*Wikipedia*, 2008).

What seems to be more pronounced in the lesser or growing democratic states is bad governance, for their failure to satisfy the requirements for good governance, borne out of the

fact that crime control has not been very effective enough. However, public demand for crime control has given rise to a number of federal and state laws authorizing access and of criminal justice information.

Further, access to criminal justice involves criminal history background information for non criminal justice decision analyzing (such as employment or hand gun purchase), other laws have established registries and notification programmes for certain types, such as sexual predators. A law of this magnitude has not been too effective, not transparent and responsive as it is yet unanswerable to money launders in Nigeria and other African countries, even with the need to assume a level of automation and integration that is only just emerging in justice agencies throughout the nation (Kelly, 2001:18).

Definitely a governing body, whether by executive order, statute, informal organization or by a memorandum of understanding that establishes a mission, membership, decision making structure, etc, is arguably one of the key components of planning and implementing a successful state on the platform of justice and development (Kelly, 2001:22).

The governance structure ensures a place at the table for all relevant agencies and users to formalize and ensure equality in decision making (e.g. all members have an equal role in decision making at hand), but has this been absolutely achievable? It is the vehicle through which agencies, stakeholders and implementers participating in the administration of justice strategically plan for integrated systems.

Two components are essential in a dexterous governance structure: Operational and technical committees. While the executive committee sets policy, makes key decisions and commits agency resources, its members are not generally involved in the daily operational information flow within and between the agencies. They (or should they) know the technical solutions to these issues. The operational committees are essential for understanding, analyzing and defining the business of justice within a state, while technical committees assess current technical environments and the technical policies and solutions that allows for speedy decision implementation (Kelly, 2001:25). These components in application are either wrongly applied or abused in developing nations. The decision ruling class (Godfatherism platforms) would not allow for the proper functioning of the mentioned components.

Operational committees may include those that focus on specific policy issues such as data access and availability issues, information flows, funding strategies. Similarly, technical committees may be numerous and include groups to focus on technical standards, infrastructures, security and other logistics (Kelly 2001:26). This is better applied among the tiers (three tiers) with the various organs of government.

In a bid to narrow down a perspective of transparency and accountability in governance, attempts are made to consider its feasibilities at different levels using commonly known variables such as ICT, Civil service and the World Bank to drive home a current analysis. And as such, in recent decades much of the agenda of European Studies have hired researchers to document, explain and evaluate emerging practices of multilevel governance, both conceptually and theoretically (Marks *et.al* 1996; Sandholt and Stone Sweet 1998, Hooghe and Marks, 2001; Wiener and Diez Soetendorp and Harif, 1998; Kassim, Peters and Wright, 2000 a,b.).

Among these scholars, there has been long concern that this development is not being matched by an equally forceful creation of appropriate accountability regimes (Schmotter, 2000), leading to accountability deficits. Accountability deficits are said to be a key cause of the public visibility and legitimacy of the EU (Scharpf, 1999). The new constitution 'addresses some of these problems but it is doubtful whether it will also tackle life and growing non-legislative components of European i.e. technocratic and intergovernmental arenas such as comotology, the European Council/Council of Ministers, as well as the many non-majoritarian agencies. Gapping accountability deficits may continue to exist and even grow, compromising the legitimacy of the European polity (Curtin, 2004; Bergman and Damgaard, 2000).

A report on governance and development in the Arab Region noted that a major challenge is to make the civil service more accountable for results over mere bureaucratic action, for ensuring faithful implementation of policies, and for treating all citizens fairly and competently (World Bank, 2003). Here, emphasis is made on the importance of public sector reforms

towards a system that enshrines transparency and contestability, wherein such steps contribute towards over all civil service reforms.

Under the global pressure of information technology, the adoption of web-based technologies in public administration has created a new government and citizen interface. However, whether e-government will unambiguously lead and hence, accountable, question remains a central question (Wong and Weld 2004). To them, e-government has a potential to alter the traditional relationship between government and citizen by creating a new virtual government and citizen interface, considering the popularity of e-government and the increasing interactions between government and citizens through the internet. More so, e-government is often viewed and promoted as a positive channel for enhancing government accountability, transparency and empowering citizens (La Porte, De Jong, and Denchak; Frills, and Porte, 2002).

Nevertheless, while the global pressure of information technology leads to more government accountability at the global level, the domestic contact leads to variations in the rates of adoption and effects of the global pressure at the national level (Welch and Wong, 2001). Conditions of high autonomy, high complexity, and how professionalism exacerbates the tendencies of bureaucrats to control information to consolidate power.

Reconstructing accountability and transparency practices in multilevel governance is enmeshed and encapsulated with patterns leading to distinct accountability problems because the participation of multiple actors at different levels of government leads to a dispersion of influence and responsibility.

Yet the literature on democracy, transparency and accountability in the EU still focuses on the European level per se (Harlow 2002; Lord 1998; Moravcsik 2002), some are studying issues of accountability while taking into cognizance the specific character of systems of multilevel governance (Papadopontos, 2003, Slaughter, 2004).

Barriers to Effective Accountability and Transparency Practice

Inspite the growing ombudsman-like bodies and auditing commissions whose purpose it is to exercise oversight over both the policies of government and the resources that are engaged in their execution, more still need to be achieved through accountability and transparency measures.

One of these impediments has to do with the dominance of western democracy over the growing ones which is therefore not securely founded because it lacks one of the essential ingredients of success and influential middle class. This fact, which is sometimes a surprise to African leaders, was well revealed to Aristotle more than two thousand years ago. According to him, 'when democracies have no middle class and the poor are greatly superior in number, trouble ensues and they are speedily ruined (Ernest Baker, 1952).

Concern has been expressed on the increase of corruption and ethical lapse due to an increase in discretion without corresponding accountability for results, actions, means and conduct. Corruption comes to play in an effort to secure wealth or power through illegal means for private benefit at public expense (Lipset and Lenz, 2000:112). For Sen (1999:275), it involves the violation of established rules for personal gain and profit. The increased freedom may result in gross political, administrative and personnel favouritism, providing opportunities in employment and careers to favoured people.

Inadequate resources and funding has hampered proper functioning of accountability and transparency measures. For instance, the INEC budgeted allocation of ₦54.5 billion, against its request for ₦60.5 billion for the execution of the 2007 election is inadequate (Marco Idasa, 2006:26), although INEC Chairman has expressed commitment time ad again to checking electoral fraud in 2007 using the electronic voting system (Marco Idasa, 2005) but the move yielded no result, as it foreclosed for the 2007 elections by the Electoral Act, 2006, Section 32 sub section 4.

Complexities in Accountability and Transparency if/when Given the Needed Support

Ample deal of accountability research, however, focuses on problems associated with transparency. For example, Canning and O'Dryer argue 'commitment to public accountability

and transparency (is) frequently used a convenient mechanism for avoiding criticism and maintaining the power and privilege of delegated self-regulation (Canning and O'Dwyer, 2000:725).

Accountability involves either the expectation or assumption of account giving behaviour. The study of account giving as a sociological act was recently articulated in 1968 article on "Accounts" by Marvin Scott and Stanford Lyman (1968) and Stephen Seroka, although it can be traced as well to J.L. Austin's 1956 essay "A Plea for Excuses" (1956:7) in which he used excuse making as an example of speech acts metamorphosed into freedom of speech.

Recently, accountability has become an important issue in the debate about the legitimacy of international institutions (Grant and Keohane, 2005). This is because there is no global democracy to which organizations must account; global administrative bodies are criticized as having large accountability gaps. But one paradigmatic problem arising in the global context is that of institutions such as the *World Bank* and the *International Monetary Fund* who are founded and supported by wealthy nations and provide aid in form of grants and loans, to developing nations. Should those institutions be accountable to their founders and investors, or to the persons and nations they help? It is observed that cosmopolitans tend to advocate greater accountability to the disregarded interests of traditionally marginalized populations and developing nations.

On the other hand, those in the Nationalism and society of states traditions deny tenets of moral universalism and argue that beneficiaries of global development initiative have no substantive entitlement to call international institutions into consideration.

Gray (1992), raises pertinent question on the forms of legislation necessary to enforce transparency, forms of information that should be available as a right and most suitable channels for communicating accountability.

Demands for transparency have raised a range of organizational concerns in the recent times. For instance, in Universities there are growing numbers of concerns in research, teaching and community service in the University management as to the effects of transparency needs and/or demands. Through these needs, academia is coming under increasing pressure to demonstrate financial responsibility. Internal auditors, external auditors, the Research Assessment Exercise, demands of value for money and Teaching Quality Assessments are just a few examples of the transparency exercises through which Universities as well as government sectors are expected to show case valued returns on public investment.

However, making the internal aspects of organizations or government parastatals externally available with regard to environmental accountability is fervently grounded in attempts to specify what information should be made available and how it should be assessed. It has not traveled immutably, hence gaining many of its properties from the locations in which it has been deployed. Thus we have, among other things, transparency as a necessary prerequisite for democracy, transparency as a right, the transparent as a linguistic proposition and the transparency of evil.

Gray (1992), once again suggests obstacles that need to be overcome. First, provision of information to the demos will not ensure that the demos then behave in a way one might approve. Subject to that the demos may continue along a path towards extinction; second, the making of things visible must inevitably make something's invisible. That is, the more things made visible, and the more ways in which they are made visible should decrease invisibility.

A better efficacy and effectiveness of accountability and transparency in governance is illustrated with the term 'making things available', what Wall (1998), explains using three principles. First, *public accessibility* is only one of three conditions to meet. Wall suggests that some things are publicly accessible without being *publicly understandable*. How information should be made accessible and understandable can be quite different according to Wall (this also raises a question about how to assess whether anyone has understood). Further, Wall suggests a third condition principle, *public acceptability*. This raises questions such as: acceptable to whom, in whose terms, using what means of assessment. These conditions highlight the difficulty of justifying transparency and democratic grounds, while the inconcludibility of such questions then lends uncertainty to notions of a move toward transparency equating to a move toward democracy in an ideal state.

Strategic Mechanism for Ensuring Accountability and Transparency in Governance

Bearing in mind that putting a mechanism in place, allowing for altruistic transparency and accountability in governance would lead to suggesting a number of strategies to avoid and resolve conflicts of interest in personnel decisions.

The following strategies were proposed by Jeremy Pope (2000):

- i. Ensuring impartiality in all personnel decision: This means certification would indicate that none of the applicant/candidates/affected persons by the decision is a relative or is known person to them else the officials should excuse themselves from the process entirely (Pope, 2000:200).
- ii. Fostering Competition: Where exceptions from competitive procedures to be made, the decision maker is required to provide clear, unambiguous and strong justification for the non-competitive procedure (Pope, 2000:201).
- iii. Transparency and Openness: Transparency and Openness generate pressure on the decision maker, and those involved to avoid such situations should handle them properly.
- iv. Structuring and Operationalizing Competence and merit requirement. Well formulated, professionally designed and well structured and institutionalized HRM system reduces the harm associated with conflicts of interest and corrupt practices.
- v. Collective or group decision making.
- vi. Strengthening the ethical regime applied to HRM staff and decision makers. It further implies providing suitable compensation and good employment conditions to maintain their morale and motivation and applying strong negative sanctions associated with wrong doing.
- vii. Strengthening the appeals and grievance procedure related to personnel decisions. This should enable such authority to conduct an independent review of the process and its outcomes.
- viii. Resolving post-separation conflicts of interest.
- ix. Free and fair elections
- x. An independent judiciary
- xi. Protection of fundamental human rights of citizens
- xii. A free press
- xiii. Participatory politics

Conclusion

But by far the most of potent and potentially annihilating threat faced by citizens of developing nations today is the adamant and obstinate class divide which has seen to millions wallowing in hunger and biblical misery while a few make away openly with the national patrimony. The polity roils with rage and discontent across ethnic, regional and religious divide threatens to engulf the entire world.

A government should keep to what it has promised to do before it takes up political power and occupying political office. Then, through it governance can be assessed based on accurate, perhaps corresponding delivery of late night electioneering promises and/or manifestoes. However, it is expected apparently in a present day democratic dispensation that *ab nitio* government should understand the needs, yearnings and wishes of the general public either at public or private realms because it is in that connection checks and balances can be effected within the purview of accountability and transparency in governance.

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ETHNIC NATIONALISM AND THE NIGERIAN DEMOCRATIC EXPERIENCE IN THE FOURTH REPUBLIC

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Introduction

Nigeria is a nation in a deep infectious and outrageous crises that crises, loudly and painfully, for attention. Like an illness whose malignant path has been clinically dissected, political observers have found Nigeria's nascent democracy in a deep sea beset by inclement weather. So many nautical perils massing together are a night-mare even for a helmsman of undisputed genius: from the war cry of resource control sweeping the southern states, to the creeping islamisation of the states in the north of the nation; from ethnic militias with a separatist agenda; to sharia enforcers angling for religious self-determination in a secular state; from insecurity occasioned by the State's loss of the monopoly of the instruments of violence, to the insubordinate restiveness of a military faction unhappy with its loss of despotic fiat. All the contradictions contained or buried under dictatorship have erupted with advent of democratic governance.

For while there is every possibility that as usual, Nigeria will fumble and wobble through the ship of democracy and will ride the storm and return safely to harbour, there is an even greater possibility that the ship of democracy may capsize. The fundamental source of the crisis has to do with either failure to appreciate and therefore come to grips with the truth that the consolidation of democracy is the indispensable key to sustainable socio-political and economic development. But it is important to reiterate the fact that in international circles and in the comity of nations, a nation where democracy has been consolidated is given and accorded much respect.

This paper is an inquiry into ethnic nationalism and the Nigerian democratic experience in the Fourth Republic. Before continuing however, it will be in place to dwell briefly on the Concept Ethnic Nationalism. Ethnic Nationalism is a complex social phenomenon. It may be defined as a set of beliefs about the superiority and differences of one's ethnic group and a defense of its interest above all others. It also implies the individual's identification with an ethnic group, its culture, interest and goals. It is ethnocentrism that cuts across all other loyalties to stress loyalty to a particular ethnic group.

Why is this so? According to Hofstede (1994), there is always a strong tendency for ethnic or linguistic groups to fight for recognition of their own identify, if not for national independence. This tendency has persistently been on the increase rather than decreasing in the latter part of the 20th Century. Following the Hofstedian analysis, the Nigerian experience with pronounced ethnic nationalism is not particularly a strange phenomenon.

In real life, an ethnic nationalist identifies with and sees himself or herself first as a member of a particular ethnic nationality before identifying himself or herself with a nation. Thus, this help to explain the emergence and proliferation of ethnic associations and militias such as Yoruba Council of Elders (YCE) *Odua* Peoples Congress (OPC) "*Arewa* Consultative Forum" (ACF) "*Arewa* Peoples Congress (APC) '*Ohaneze Ndigbo*', '*Egbesu* Boys', '*Bakassi* Boys' '*Middle Belt* Forum' (MBF) Movement for the survival of *Ogoni* People (MOSOP) South-south Peoples Conference, Union of Niger Delta (UND) among others.

Having defined the concept of ethnic nationalism, we shall now proceed to examine the literature and identify the following:

1. the factors that accounted for the reemergence and predominance of ethnic nationalism;

2. impact of ethnic nationalism on the current democratic dispensation; and
3. What can be done to reduce the negative concomitants of ethnic nationalism.

The literature is full of factors that accounted for the rise of ethnic nationalism in Nigeria right from independence till now. The first factor is the legacy of colonialism. According to Dare (1986), Aluko (1998), Ake (2000) among others, the problem of ethnic nationalism in Nigeria came with the advent of colonialism. This happened when disparate, autonomous, heterogeneous citizens. According to Ekeh, the historical root of the crisis in Africa lies in the fact that the present (nation) state in Africa evolved not from within the society as was the case in most parts of Western Europe, but from outside, as an imposition of the colonial authorities. The process of establishing this alien structure on largely artificial political formations which brought together formerly separate sub-nationalities led to the development of the public realm as two publics rather than one in addition to the private realm which was coterminous with the society.

First was the civic public which was basically the government and consisted of modern institutions such as the – military, bureaucracy, courts, political parties and the likes – all of which were imported wholesomely from the West. Second, there was the primordial public which, as an emergent social formation because it evolved out of the dynamics of the colonial process grew up to satisfy some of the personal and group demands that could not be met by both the colonial and postcolonial government. The public is what Joseph (1987), think is best described in communal terms as ethnic nationalism and the origin of prebendal politics in Nigeria. Simply put, prebendalism has been described as the process of using government positions to pursue personal and parochial or group interests.

In the civil public in Nigeria, it is perfectly in order and the norm to exploit one's position in the public realm to pursue private, parochial or sub national interests. The real problem is that the same sets of individuals operate in the two publics being altruistic in one and very instrumental in the other. This duality, which has subsisted since colonial times, helps to explain the problems of ethnic nationalism, corruption and of course political instability in Nigeria.

The problem of having a universally acceptable revenue allocation formula has been on in Nigeria for long. According to Nnoli (1980), there are 'ethnic watchers' who monitor what each ethnic group gets from the federation account. When they think that what their ethnic group is getting is not favourable, they are expected to raise 'ethnic alarm'. Even in the ongoing democracy, the experience has also been very volatile with the derivation formula put in place. The already volatile situation was aggravated by the Supreme Court judgement which settled the on-shore off-shore dichotomy in favour of the Central Government. The crisis now has taken on some ethnic colourations. The oil producing states from the south wants a political solution to the crisis but the states from the Northern part wants the *status quo* to remain. It is our opinion that Nigeria has reached a stage whereby natural resources should be owned and controlled without any recourse to ethnic, political or religious inclination. However, this is not to be and it is indeed sad.

In his seminal book, *The Strategy and Tactics of the People's Republic of Nigeria*, Chief Awolowo, remarkable for his forthrightness, has this to say:

“in discussing this principle (i.e. of revenue allocation on the basis of derivation). I would like to make only six observations. Firstly society, whether it is a federation or not, it is untenable and dishonest in the extreme, to insist on sharing another person's or another state's wealth on any basis other than that which the rules of the capitalist game allow. In the type of society every state is perfectly entitled to keep any wealth that accrues to it either by the sweat of his brow, by cunning or by the unaided bounty of Nature. And to accuse a rich state of lack of fellow-feeling or patriotism, because it insists on keeping practically all that comes to it by whatsoever means, is unreasonable and unrealistic. For it must be remembered that, in a capitalist society, the over-rising code of conduct is naked self-interest.”

One dimension of the problem with ethnic nationalism is that most Nigerians are not patriotic. Right from 1960, patriotism, as far as Nigeria is concerned, has been thrown into the river and ever since, it was replaced by individualism, personalism, sectionalism, nepotism and parochialism. To worsen matters, you hardly could find loyalty to a cause, a symbiotic construct of patriotism, in an average Nigerian. The highest levels of patriotism are expressed at the sub-national levels. The common explanation for this is that Nigeria is not doing enough to attract the patriotism of its citizens. Most importantly, Nigeria daily shirks its governmental responsibilities to its citizenry. It is incapable of providing food, shelter, security and other basic necessities. Nigerians do not feel the impact of Nigeria in their lives. Because Nigeria is incapable of doing anything for Nigerians, it is thus a gratuitous insult for her to demand patriotism from her citizens.

Again, most students of politics will readily agree with Locke and others that a nation compels patriotism and loyalty when the citizens perceive it to be representative of, and pursuing their common good. A tentative hypothesis therefore would be that where a nation does not take sufficient care of its citizens, the level of patriotism is likely to be low and vice versa. As to why this should be the case, two plausible reasons have been adduced.

First, ethnic nationalism was already well developed before the nationalist era. Ethnic loyalty was something that made sense to a lot of people, and its utility was already demonstrated in the urban areas, where ethnic associations catered for the needs of new immigrants from the countryside. Secondly, the appeal to ethnicity was very likely to be successful in a society with little industrialization and a rudimentary development of secondary associations (Ake, 1978). In another instance, Ake (2000), argued that the civil society in Africa is so rudimentary that political society is not constituted as a “public”, a unity of abstract legal subjects and a solidarity of complementarities and reciprocities arising from their self-seeking. Instead of political society being one public, it is segmented into a plurality of competing and alienated primary publics, because people are alienated from the State and tend to give their primary loyalty to ethnic, sub-national or communal groups rather than the State.

In the theoretical model of patriotism, allegiance and loyalty of a typical Nigerian illustrated below, one is able to see what an average Nigerian stands for in his or her relationship with the Nigerian State. First, a typical Nigerian thinks of ‘self’ before others. And when he or she thinks of others, the thought is about members of both the nuclear and the extended families. From the level, a typical Nigerian thinks of people from his or her native town or village and then to the level of the ethnic group. And from the level of the ethnic group, the loyalty, allegiance and patriotism of a typical Nigerian moves to that of the religious group. This is because most Nigerians are very religious and have very strong emotional attachment to one religion or the other. This is the more reason why ethno-religious violence is very common in Nigeria. The final stage to be reached is that of the nation.

Everyone puts the nation last in the scheme of things. Even some of our past Heads of State and highly placed Nigerians are not left out. They make parochial declarations and utterances all in the spirit of protecting ethno-religious agenda and interests. All these again go further to lend credence to the assertion that most Nigerians have not imbibed the spirit of patriotism and nationalism. Thus it is not surprising to find people more patriotic at ethnic or sub-national levels than at the national levels.

Theoretical Model of Patriotism Allegiance and Loyalty of a typical Nigerian



The entrenchment and institutionalization of ethnic nationalism in Nigeria has also meant that parties are formed along ethnic lines. According to Ake (1978) – “ ... *the regions and political constituents tended to be homogenous in ethnicity. Thus to win an election you had to win an ethnic group and if this happened to be large, a political base was guaranteed*”.

It is thus a norm for parties to be formed along ethnic lines in Nigeria. This was trend in the First Republic when the three predominant parties Northern Peoples Congress (NPC), Action Group (AG) and the National Council of Nigeria and the Camerouns (NCNC) stood for the three dominant ethnic nationalities – Hausa/Fulani, Yoruba and Ibo respectively. The trend was not different in the Third Republic when the National Party of Nigeria (NPN), Unity Party of Nigeria (UPN) and Nigerian Peoples Party (NPP) again stood for the three major ethnic nationalities; Hausa/Fulani, Yoruba and Ibo. The Third Republic was different then because the military on the recommendation of the Political Bureau did not register more than these two political parties Social Democratic Party (SDP) & National Republican Convention (NRC). In the ongoing dispensation things have not changed radically. The ruling party – Peoples Democratic Party (PDP) is a party of the Hausa/Fulani but captured many States in Ibo land. The All Peoples Party (APP) is more or less a party of the Northern people as it did not capture any state in both Ibo and Yoruba land. The Alliance for Democracy (AD) is exclusively and predominantly based in the Southwest and a party of the Yoruba people. From all indications, parties in the ongoing democratic dispensation are still ethnically based thus allowing the pursuit of sectional agenda.

There is problem with power relations in Nigeria politics. As events and reactions in the ongoing democratic dispensation have shown, the Northerners are not comfortable that power is not in their hands. The propaganda of the Northern oligarchy is that the South have always been in control of economic power and to balance the equation, the North must hold on to the political power. Since the inception of the Fourth Republic, the Northern elites have began to rock the boat. This is accompanied by crises of marginalization all the time. The fact that power has often been monopolized by the three dominant ethnic nationalities has also meant that the power has often been monopolized by the three dominant ethnic nationalities has also meant that the minority groups have been marginalized in the rat race for power. Again, power at the centre and the resources that come with it in Nigeria is too attractive. This thus makes the competition for power so fierce, because if an ethnic group loses at the centre, it has lost all. This is more so because politics is a zero-sum game in Nigeria. The way power is obtained and used in Nigeria is usually in terms of what the various ethnic nationalities can benefit. But in many instances in the past, power has been used to pursue sectional or parochial interests. Marginalization of some groups will inevitably arouse consciousness and then sensitize such groups for action, resistance, apathy and other related negative vices.

Having dealt with the factors that accounted for the predominance of ethnic nationalism in Nigerian politics, our next task will be to examine the impact of this phenomenon on the ongoing democratic dispensation.

First, the interplay of ethnic nationalism has meant persistent threat to political stability. There are cries of marginalization and impeachment all the time since the inception of this Republic. Again, this has also meant a threat to the consolidation of democracy. For it is going to be difficult of consolidate democracy in a country that is politically unstable.

Second, the predominance of the spirit of ethnic nationalism also gave rise to the emergence of ethnic militias all over the country – the common ones are – *Odua* Peoples Congress (OPC) for the Yoruba nationality, *Arewa* Peoples Congress (APC) for the Hausa/Fulani nationality, *Bakassi* Boys for the Igbo nationality and *Egbesu* Boys for the Ijaw nationality. The emergence of these ethnic militias has also meant an increase in the level of political violence, riots and conflicts.

Third, the interplay of Ethnic Nationalism has also made the sharing of the national revenue a much more volatile and sensitive issue. In Nigeria, the center is the primary source of private wealth accumulation. So much resource lies with the Government at the center. This consequently makes the struggle for control of power at the center so fierce, competitive and intense. The current onshore/offshore dichotomy in the principle of derivation also aggravated the already tensed situation. This offshore/onshore dichotomy is now seen as an indication of

contempt and hatred for the ethnic nationalities in the Niger Delta who believed that they are already marginalized, traumatized and exploited.

Finally, the interplay of ethnic nationalism has also divided and fragmented the civil society in Nigeria. Oyadare (1994), contended that the problem in Nigeria is traceable to the heterogeneity and the adversarial nature of the civil society itself. The civil society in Nigeria is relatively weak, parochial in outlook and divided most especially along ethnic, religious and linguistic lines. If the civil society is divided, it is obvious that it will have some adverse effects on the nascent democracy in place.

The fact that the problem of ethnic nationalism continue to stare us in the face is an indication that something is wrong somewhere with the Nigerian State and this must be looked into. Nigeria is once again at a turning point. Will it settle permanently the terms and conditions of living together in one polity of its diverse peoples, so that it can indeed and not just in words become a united, strong and self-reliant nation with a free and democratic society? Or, will it forever remain, in spite of the rhetoric to the contrary, a mere collection of independent native states separated from one another by a multiple of barriers? What are the things that need to be done in order to reduce the negative impact of ethnic nationalism on the current democratic dispensation?

First, we suggest the convocation of a National Conference. There should be a forum where all the various ethnic nationalities will come together to address the national question. The multi-dimensional nature of the problem with ethnic nationalism has shown that only a national conference, could adequately address them. The conference is inevitable if the governments sincerely desires and end to the crises. It is obvious that the multi-dimensional nature of the crises will not allow piece-meal solution; it should be a national approach.

You cannot deal with *Odi* in isolation from the *Tiv-Jukun* conflict nor the Niger-Delta conflict from *Fulani – Backama* conflict, the zero allocation, boundary adjustment, asset sharing or revenue allocation, resource control, secularization and several others.

Second, some form of power rotation or sharing must be institutionalized and entrenched in the Constitution. According to Olasebikan (2002), it is absolutely ridiculous for any section in the country to have sole control of power while the other so-called ethnic nationalities remain in servitude. It is however sad to note that the Northern oligarchy have come to see power as their own inalienable right. Power must be made to rotate among the various ethnic nationalities using the six geo-political zones. Again, this must be accompanied by some form of power sharing among the various ethnic nationalities so that no section of the country will be marginalized at any point in time.

Third, it is also important that the population of the States and not the land mass or geographical space be used in the distribution of resources from the center. It is the people that matter and not the geographical space they occupy. This is why the present arrangement of using the land mass is not acceptable to the ethnic nationalities from the Southern part of the country.

Fourth, is the argument that a 'Two Party System' is best option for a country like Nigeria where people manipulate our diversity to cause trouble? The history of party formation in Nigeria shows largely that they are usually ethnically based and the only exception to this was the Third Republic when the military registered, only two political parties (SDP and NRC) on the recommendation of the Political Bureau. It is our opinion that if the 'Two Party System' is entrenched into the Nigerian Constitution, it will prevent the various ethnic nationalities from hijacking any of the two parties and this will reduce the impact of ethnicity in politics.

Fifth, it is important that Nigeria remain a secular state otherwise there may be no end to ethnic religious violence.

Sixth, it is also suggested that Nigeria should remain a Federal State. What we have in practice in the ongoing democratic dispensation is not Federalism *per se* but a combination of unitarism and federalism. For peace and tranquility to prevail, Nigeria must practice true Federalism.

Furthermore, there must be constitutional provisions that give less power to the Presidency. According to Ake (2000:187), Nigerian Constitutions give far too much power to the Presidency, sometimes to the point of constituting it virtually a dictatorship. It is all the

more necessary to correct this, because apart from being an impediment to democracy, the concentration of power in the Presidency gives politics an unhealthy intensity. Because this office is so powerful, those who compete for it readily resort to means that are unlawful, as if to indicate that for this particular office, the end justifies all means. Again, this is the more reason why the competition for power at the center takes on ethnic colourations all in the attempt to sidetrack other ethnic nationalities.

It was Charles de Gaulle who said that politics is too serious a business to be left for politicians alone, the project of the structuring of society, the distribution of resources, the maintenance of law and order, the protection of lives and property, the provision of social, economic, agricultural, industrial and health infrastructures and the protection of the citizens from external attack, which make up what we call governance, cannot and must not, be left entirely in the hands of those who are popularly elected into power, or those who steal their way, rig their way or shoot their way into power, as often been the case for us in Nigeria.

The greed of many of these professional politicians often rides in tandem with their lust for power. Overtime, they have demonstrated that they are not genuine democrats, honourable statesmen or true patriots, but neo-feudalists, contract chasers callous mercenaries, ethnic jingoists and prostitutes of power. This is the more reason why the Nigerian political environment is characterized by widespread falsehood, political sycophancy, social injustice and economic profligacy, where what matters to many people are brown envelopes and 'Ghana-must-go-bags'.

It is true that there are contradictions, flaws and injustices in the very structures of the country that need to be addressed at a National Conference or through a major Constitutional review process, nevertheless, the negative input of many individual Nigerians from North and South and from East and West, especially, the monumental frauds, the greed and graft and the politics of bitterness and acrimony which we have witnessed at the hands of successive leaders at all levels, have been a major factor in the failure of the Nigerian State and there is no amount of restructuring that will resuscitate ailing Nigeria, if these deadly viruses are not dealt with severely.

The Nigerian civil society, made up of labour organizations, religious groups, Press, Students Unions, civil Rights and Pro-democracy groups, etc. cannot afford to fold its hands, sit idly or watch as if it were helpless, while a few ethnic war-lords mortgage our common patrimony, destroy our commonwealth and render desolate our nation. We cannot leave our fate and destiny in the hands of self-serving ethnic jingoists. Indeed, the exigencies of the times demand that all hands must be on deck and that all serious-minded groups and individuals of talent and vision must be passionately engaged and in the project of building a strong, virile and united nation.

Finally, there is the inevitable need to re-orientate Nigerians to shift their allegiance, loyalty and patriotism from the level of their ethnic groups to that of the nation. The National Orientation Agency (NOA) which is already in place could be saddled with this responsibility.

Conclusion

From all the discussions made in this paper, it is evidently clear that the consolidation of democracy is on shaky grounds as long as the problem of ethnic nationalism remains in place. That in spite of nationwide increase in violence revolving around ethno-religious identities, Nigerian Governments are still treating them as "residue of the past and are therefore reluctant to recognize the inevitability of the ethnic identities that divide the population of the overwhelming majority of the people in Nigeria. Today, there is no empirical evidence to suggest that ethnic divisions and the 'nationalism' attached to it are losing their importance in any part of the world. In the words of Sindjoun (2000:223) 'plural societies are not only places where we identify clash, they also include dynamics of overlapping and crossbreeding, multiple positions and multiple allegiances'.

Informed by this philosophical orientation, we suggest the acceptance of the inevitability and indeed the legitimacy of ethnic identities and taking this as a precondition to finding means of preventing violent conflict. This can best be done by the convocation of a national conference in which the various ethnic nationalities will state categorically those things that

will make them shift their allegiance, loyalty and patriotism from the level of their ethnic nationalities to that of the nation at large. This may be slow and difficult. But the logic of our reasoning remain that ethnic identities are not fixed, but can change a great deal over time through a slow process of political manipulation with social and economic transformation.

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REINVENTING THE GRASSROOTS LEVEL: THE CHALLENGE OF GOVERNANCE IN NIGERIA

MIKE ADEYEYE

Preamble

There is increasing concern in the developing world today about the need to enhance the performance and accountability of governments. Accountability entails holding individuals and organizations responsible for performance measured as objectively as possible. The concept of public accountability applies equally well to all levels of government and other agencies that deliver public services to citizens. At the local level, the focus of accountability tends to be on specific public services and their delivery to the local population. However, there is considerable evidence to show that citizens are unable to hold governments accountable despite the existence of various mechanisms of accountability instituted in the various countries. The phenomenon of “capture” – the tendency of those who manage and control allocation of public resources to appropriate benefits and to engage in rent seeking – exacerbates the problems of accountability. However it is the advent of democracy that stimulated new approaches to governance in many societies (Paul, 1995:3).

In Nigeria the notion of incrementalism finds another indubitable case-study in the development of local government. From 1950, when the then Eastern Regional Government blazed the trail in reforming the extractive local administration system contrived and bequeathed by the British colonial government, the local government system in Nigeria has come a long way. Save under the two civilian governments 1960-66 and 1979-83), when the structure of local government were abused and made to serve selfish political ends, each successive government in Nigeria has made appreciable efforts in making the local government system a development-oriented institutions (Oyediran, 1997:204)

However, the simultaneous occurrence of lack of performance of the national economy and declining living standard of the people in recent history has attracted considerable attention and raised a number of questions among policy makers and researchers on the need to restructure the local government system in Nigeria.

This paper, therefore, intends to contribute to the on-going national debate about finding an acceptable and enduring solution to the recurring problem of local governance in Nigeria. For if the country’s new democracy is to become enduring, the search for an acceptable and development-oriented system must be undertaken promptly.

Problematic

One method of discerning the success or failure of governments in modern societies is to assess how successful such governments are in developing the conditions for satisfying the basic needs of the people they govern. These needs include basic infrastructure, social services, public services, and helping to create an efficient and productive economy. In addition, the effectiveness of such governments is measured by their ability to mobilize or generate adequate resources (financial, human and material), and to optimally utilize these resources to meet basic needs, as well as facilitate opportunities on the path of socio-economic development generally (Stohr, 1981:1-2). But there is also the presupposition that the capacity of governments to achieve these goals depends on the style or approach adopted by them in pursuing them (Taylor, 1992:214-258). As far as Nigeria, and nearly all other African countries are concerned, several scholars have argued that the crisis that these countries are facing stems essentially from the structurally-effective pattern of governance adopted by the African political elites since political independence in the 1960s (Wunsch & Olowu, 1990, 3 - 4).

That there is a lot wrong with the system of local government Nigeria currently operates is beyond debate. What is open to debate is whether or not this democratic regime or any of its predecessors has come anywhere near clearly defining any boldly resolving the problems of local government administration. As such, the fundamental problem of local government in Nigeria has been the intervention of the Federal government to centralize and impose uniformity on local government administration. Most of its problems – corruption, inefficiency and mismanagement – have flowed from this. Today, local government is anything but local, just as the Nigerian federation is so save in name.

One thing that is clear from the foregoing is that local government units have been created more out of political expediency than the need for governance and because of their numerosity and paucity of resources local government councils have ceased to be agencies of development and most of them have been reduced to conduits through which federally shared revenue is funnelled to pay salaries, leaving nothing to meet their constitutional functions. This state of affairs cannot create the needed environment for sustainable development and local governance.

Expectations from Local Government

From the estimation of the colonial masters, local governments were expected to perform a critical role in the development and democratization of the new states that emerged from colonial experience. The British and the French had explicit goals for local government to contribute to democratization and economic development.

Within this framework, local governments were regarded as critical for training both citizens and the political leadership in democratic life. After all, Alexis de Tocqueville had argued, in agreement with the reasoning of John Stuart Mill, that local governments are to democracy what the primary school is to science. Local governments also promote the accountability of the public administration system because their officials are closer to the public physically, socially, and psychologically. Though few people still argue that local governments can protect a region or locality from the whims of national government; some contend that they can enhance the legitimacy of the government by providing a range of services, as well as by creating a sense of belonging for different social groups within the state (Smith 1985, 1996; Gboyega 1987). The British were so convinced about these positive roles of the local government system that they became part of the official policy on decolonization in 1947:

The key to resolving the problems of African administration lay in development of an efficient and democratic system of local government. I wish to emphasize the words: *efficient*, *democratic* and *local*. Local because the system of government must be close to the common people and their problems, efficient because it must be capable of managing local services in a way which will help to raise the standard of living, and *democratic* because it must not only find a place for the growing class of educated men, but at the same time command the respect and support of the mass of the people (Hicks, 1961).

It was thus reasoned that local governments could promote economic growth and development in the new nations. Colonial development plans were based on the expectation that local governments would play an important role in the implementation of these plans, and they actually did in several African countries. For example, local authorities during this period were responsible for building and maintaining the most basic infrastructures, including roads, schools, clinics, bridges, markets and parks (Olowu 1991: Olowu & Spoke, 1992:1-17).

Similarly, the expectation that local government could contribute to economic growth stands on three grounds. First, that local government can enhance allocative efficiency in the production of goods and services. They are the closest to the market and enable locality to express its preference for the goods and services that it requires. They also make it possible for individuals to vote with their feet by moving away from localities that do not produce what they need to ones that do (Ostrom & Ostrom, 1977:4-49).

Second, local governments can help to mobilize resources for the provision of needed community services. Their proximity to the people enables them to acquire crucial information on the tax potential of each individual in the community. They can also mobilize members of the community to contribute to the community coffers via donations of time and money. Appeals are usually made to community solidarity and welfare opportunities. In colonial Africa, local governments ensured that the efforts of the state could be linked to those of the local community. This was the thrust of community development programmes in French-speaking Africa during the 1950s and 1960s.

Finally, local governments were thought to be critical for the provision of a wide range of social and economic infrastructure because of their proximity to the people and their knowledge of the locality. Undoubtedly, these expectations still constitute the building block for the existence of the local government system in the contemporary period. Consequently the recurring clamour for a better system of local government seems a fall out of its failure to fulfil the expected role.

From the preceding paragraph, it seems appropriate to weigh the performance or failure of the current local government system against the underlisted six fundamental principles of people-centred system of local government:

- (i) Putting the people first;
- (ii) Insulation of local government from partisan politics;
- (iii) Preserving the coherence and organic nature of local government areas;
- (iv) Strict observance of the principles of fiscal responsibility and accountability;
- (v) Encouraging and promoting innovation and inventiveness in grassroots governance; and
- (vi) Restituting the traditions of partnership in central-local relations (Adedeji, 2000:235).

From the aforementioned, the results of the current experiment as will be, espoused in this work, are largely at variance with these stated fundamental principles successful local community initiatives.

At this juncture, it becomes necessary to highlight some of the local community initiatives that are taken to be relatively successful in creating the needed environment for local governance. According to Olowu (1999), it would be inappropriate to assume that all local community initiatives in Africa have been successful. There are certain failures. But it is important to appraise the successful cases to enable us to understand how they can succeed with little or no support from the state sector. The successful cases are as listed:

- The Tontines or Njangis of Cameroon – which is an informal credit and savings associations
- In the education sector, several examples of community-based, informal adult learning programmes exist in western Africa, including the following:
 - (a) The Nomgana Region of Burkina Faso
 - (b) The Saye Sabuwa Community of Nigeria
 - (c) Other examples exist in Senegal, for example, the Association Communautaire de Fanden, located 30 kilometers from Thies.
- The activities of kingship, ethnic, and town unions in Africa, the best examples being the harambee movement in Kenya and the ethnic and town unions of eastern Nigeria.

Given the importance of local-level structures for facilitating good governance and providing public goods and services, as well as the failure of formal structures of local government based on attempts to extend the state structure to the local community, there are important lessons to be learned from such examples of successful, locally based organizations.

Reflections about the current local government situation

The 1999 Constitution of the Federal Republic of Nigeria was inaugurated through Decree 24 of 5th May 1999 and it became operational on 29th May of the same year. As it happened with the 1979 Constitution, many Nigerians are still of the opinion that the 1999 Constitution was imposed by the military. However, to a large extent, the constitution seems a mere copy of the 1979 edition with minor additions and subtractions – at least on the local government system.

While the 1979 Constitution explicitly guaranteed the existence of local government along side federal and state governments, the 1999 Constitution reiterated the same thing. Conventionally, local governments, is not established by the national constitution. It has always been established through the normal process of legislation. In the United States of America, local government is written into the state constitution and each State makes laws and regulations regarding local government as necessary. The federal constitution has no word for the local government (Ostrom et al eds. 1988). In the United Kingdom, local government comes into existence through parliamentary legislation (Punnet, 1971; Odoh, 1995). In France, there is a reference to local government in the constitution of the French Fifth Republic but only as communities to be administered and not the services to be provided (Blondel, 1974). In other words, the constitutional reference to local government is more appropriate to local administration rather than local autonomy.

One of the most serious problems currently militating against local governance is on the exact status of local government under the 1999 Constitution. The problem arises out of the various provisions in the constitution, which tend to contradict or impair one another. Similarly, some of these provisions are blatantly ambiguous and, if stretched, could easily result into operational or functional stolidity.

Section 7(1) of the Constitution states as follows:

The system of local government by democratically elected local government system is under this constitution guaranteed; and accordingly, the government of every state shall, subject to section 8 of this Constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils. (FRN, 1999).

It seems equitable therefore to infer from this provision that local government is the responsibility of the state government. Although this conclusion is riddled with contradictions, for instance, from what is being experienced in the relationship between the three tiers of government.

Whatever the rationale behind the entrenchment of the existence of local government in the constitution, there is still an unresolved issue about the constitutional status of local government which contests the clarity of the provisions of section 7 of the constitution. Section 3(1) and (2) of the constitution provides for 36 States of the federation. Moreover each State of Nigeria named in the first column of part 1 of the First Schedule to this constitution shall consist of the area shown opposite thereto in the second column of that schedule. The second column of the first schedule then proceeds to define the area of each state in terms of the local government in that state. The question then is, if the state government can, in their exercise of the provision of section 7 of the constitution, create new local governments and if the existing states of the federation are defined in the constitution in term of the existing local governments within their confines, what would be the constitutional position of the newly created local government? this is the dilemma.

From the unfolding political scenario, the future of local government system appears to be one of the grounds on which the endurance limit of the Fourth Republic will be put to test. This is in the form of an unsavoury jostling for hegemony in the unstable relationship between the triad of Federal, State and Local governments (The Comet, 2001:17).

Moreover local government, functionally, is the lowest and widest base of political activities and contest. The control of this realm therefore means much in the calculus of power. The election of Senators and Representatives is a direct function of power relations at council

levels. The interest of federal legislatures in local governments' affairs can therefore be viewed from an enlightened self-interest perspective. Secondly, political control over a reasonable number of local governments in a State is a valuable gubernatorial asset.

Among the plethora of its imperfections, the 1999 Constitution left a lacuna on the status of post-May 1999 created councils since all existing councils are units of the States that comprise the federation as enumerated in the Constitution. It is, however, unambiguous on the process of council creation, the function of its control and the conduct of its elections. All these are within the ambit of the State as stipulated in Sections 7 & 8 of the Constitution. The only constitutionally prescribed duty of the National Assembly to local councils is in Section 7(5a) that reads: The National Assembly shall make provisions for statutory allocation of public revenue to local government councils of the Federation...

The National Assembly therefore needs to exercise great restraint in reversing the policy of State on local governments, no matter its effect on their individual political interests. It is the duty of all stakeholders that Nigeria attains sustainable democratic practice by taking the path of the rule of law and proper federalism. If States are empowered to create councils and State Electoral Commissions are empowered to conduct elections into councils, whoever has a stake in the outcome of both should take advantage of the democratic process to obtain a favourable one and not to undermine the rule of law. Moreover, an aggrieved person/party still has the privilege of the law courts to challenge any policy perceived to be unconstitutional.

In the same vein, the nation-wide strike embarked upon by council workers in November 2001, was the climax of a protracted struggle for the control of the third tier of government. The agitation, predicated on the need for adequate funding of the council had lingered for long until February 2001, when activities of virtually all the 774 councils got crippled due to poor allocations from federal coffers. This untoward development was precipitated by the controversial revenue allocation formula recently employed by the Revenue Mobilization and Fiscal Allocation Commission (RMFAC), as well as the "unfair" deduction of primary school teachers' salaries from the councils' dues (the Comet 2001:38).

Consequently, besides the councils' inability to settle staff salaries, their social development programmes could not be executed while they continued to groan under heavy burden of debts owned local contractors. Resultantly, most of the councils, particularly in the Southwestern part of the country got embroiled in recurrent protests.

On the financial status of local governments under the 1999 Constitution, Section 7(6) states that;

Subject to the provision of this constitution:

- (a) *The National Assembly shall make provisions for statutory allocation of public revenue to local government councils in the Federation; and*
- (b) *The House of Assembly of a state shall make provisions for statutory allocation of public revenue to local government councils within the state.*

The provisions of this section place the bulk of the financial burden of local government on both the federal and states government. While in section 162 (5, 6 & 8) it is provided as follows:

(5) the amount standing to the credit of local councils in the Federation account shall be allocated to the state for the benefit of their local government councils on such terms and in such manner as may be prescribed by the National Assembly.

(6) each state shall maintain a special account to be called "State-Joint Local Government Account" into which shall be paid all allocations to the Local Government of the State from the federation account from the Government of the State.

(8) the amount standing to the credit of the local government councils of a state shall be distributed among the local government councils of

that State on such terms and in such manner as may be prescribed by the House of Assembly of the State.

From the above provisions, it is clear that even though the federal government shall make statutory allocations to local governments, such allocations must be passed through the state governments. One important issue is the fact that whereas the federal government has a constitutional duty to make such allocation to the local government, the state government has the constitutional duty to establish “State Joint Local Government Account” into which these allocations shall be paid. By and large, local government under the 1999 Constitution is incontrovertibly under the control of the State Government. However, whatever negative development this issue might have generated should be seen within the context of a partisan political outlook of the actors concerned. The issue of local governments operating within the ambit of state government laws is not a new development in matured federations.

Conjectures and Concluding Remarks

Unless and until we can get the grassroots governance equation right, our democratic system will remain low-intensity and fledging. No democracy can become dynamic and sustainable if the systems of governance at the grassroots level are not solidly people-centred, participatory and accountable. This can only happen when local governance is inspired by the history, tradition, culture and modes of social organization of the communities in the locality concerned. If governance at the local grassroots level is to be the cornerstone upon which the national democratic edifice is to be constructed, then we must turn our diversities into a source of strength by encouraging, appreciating and further developing them through basing grassroots democracy on them (Adedeji, 2000:xvii).

It is equally important to reiterate that no kind of desirable development can be achieved if there is a political framework defined by:

- a tendency to divert public resources for private gain;
- failure to establish a predictable framework of law and government behaviour conducive to development, or arbitrariness in the application of rules and laws;
- excessive rules, regulations, licensing requirements, and so forth, which impede the functioning of markets and encourage rent-seeking;
- priorities inconsistent with development, resulting in misallocation of resources;
- narrowly based or non-transparent decision making.

Under such condition, any amount of external revenue from the federation account as development assistance can achieve little. Hence the promotion and facilitation of good governance with all possible means is a necessity. It improves the state’s ability to promote collective actions such as law and order, public health and education, and basic infrastructure, all essential for sustainable development (World Bank, 1992).

Simultaneously an understanding is emerging that governance is the art of public leadership; the leadership to choose the appropriate form of political management and to create a responsible process by which authority is exercised in the management of a country’s economic, ecological, and social resources. The criteria that constitute good governance include:

- legitimacy of government (degree of democratizing and involvement of civil society organization);
- accountability of political and official elements of government (media freedom, transparency of decision making, accountability mechanism);
- competence of governments to formulate policies and deliver services;
- respect for human right and rule of law (individual and group rights and security, framework for economic and social activity, participation) (World Bank, 1997).

Conclusively, there is an increasing awareness among policy makers and governments that local government plays such a vital role in the socio-economic well being of the people that we could not afford to relent in our search for solutions that bedevil it. Besides, an efficient and accountable local government system is now recognized as the foundation of the democratic structure of this Republic. Thus, the suggestions that are being proffered in this section are aimed at strengthening the capacity of local government to play effectively its protective, welfare and development roles. These are:

- The need to invent a new structure of local government in Nigeria, so that they might become more effective institutions for synchronizing state and societal forces at the local level – what is commonly referred to as “local governance”. It is critical that such structures emphasize locality, popular control, and accountability to the community, as well as the capacity to mobilize resources, whereas the national and/or state government provides financial, personnel, and technical support in such a way that it does not destroy local initiative.
- There is the urgent need to carefully review the philosophy of a uniform single-tier multi-purpose structure of local government. It is my view that each state of the federation under the supervision of a national body should work out a structure of local government that is, in tune with the history, culture and endowments of our various communities. If this view is accepted, it will be possible to assign roles to traditional institutions, non-governmental organizations (NGOs), Hometown voluntary organizations and other relevant professionals bodies in service delivery and local development.
- Similarly, the relationship of the ruler and the ruled should be reviewed. This is in two perspectives; the local government functionaries and the local citizens so as to remove apathy and encourage popular participation, which is essential for democratic governance and development at the local government level.
- There is need to review the issue of local autonomy and the place of local government as a tier of government vis-à-vis the kind of treatment meted to the local government as the inferior tier of the trio. This is more pronounced in the area of finance; so long as the local governments still depend on the allocation from the federation account for survival, then the idea of improving the welfare of the people will at best remain in mirage.
- In order to harness the resources available in each local government area for the provision of services and social infrastructure, state government should ensure that local governments identify federal and state’s agencies/organizations, NGOs, indigenous organizations, etc., operating in their area and convene a conference with a view to obtaining their inputs to its development plan. Hopefully, the interaction would result in the acceptance and legitimization of such bodies as an integral part of the developmental efforts of the grassroots.

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THE THEORY AND PRACTICE OF LOCAL GOVERNMENT IN NIGERIA – A CRITIQUE

DR. I.A.ADEWALE

Introduction

Essentially, the attribute of the principles of decentralization in relation to local administration in contemporary social, political and economic discourse all over the world cannot be unconnected with the desire to institute a progressive unit of government to cater for the welfare of the masses residing in rural Communities.

In this way, the idea of local government as a third tier government in Nigeria's federal set up has been manifested in the Nigeria political history up to the present time. It has also become systematized with the 1976, Guideline for local government reform and the partly suspended 1979 presidential constitution.

Thus, a quick glance at the title of this paper will enable us to really comprehend the way and manner we have been able, as a developing nation, to synchronize the theory and practice of local government administration since 1976 when local governments became a third-tier of government in Nigeria.

Prior to the reformation of local government administrative machinery in Nigeria in 1976, the outlook of local governance in Nigeria could be described generally as ineffective moribund and uncoordinated with no clear-cut policy guidelines as to how make local government an organ of government a potent instrument for bringing about the much required and efficient administration at the grassroots level.

With this in mind, however, an attempt will critically initiated to point out the pit falls inherent and man made problems that have tended to obstruct the concerted efforts of the three tiers of government (Federal, State and Local) in finding lasting solutions to all the problems besetting the workability of the theory of local government administration in Nigeria. This will enable us to evaluate the extent to which the practice has gone astray from the theory.

THE THEORY OF LOCAL GOVERNMENT ADMINISTRATION

According to the 'Chambers, 20th Century Dictionary' a theory can be defined as 'an explanation or system of anything; and exposition of the abstract principles of a Science or art'. In his own contribution, Eugene J. Meacham (1981), describes theory as an instrument for ordering and arranging general statements that man create for his own purpose and not in some ways, a map or picture of reality.

The significance of the definitions above is mainly to fish out the elementary basis of what theory is, and not to serve as an academic exercise laden with agreement and disagreement. On this view, the conclusion could be drawn that a theory is simply a larger conceptual framework in which generalization find a place and theory are explained. And in all cases the value of theory will depend upon its usefulness to the inquiry in which it is employed.

Having explained the purpose that a theory is supposed to serve, it will be worthwhile to give an analytical overview of the theory of local government administration as it relates explicitly to local government administration in Nigeria vis-à-vis the 1976 local government reforms the 1979 Presidential Constitution of Nigeria as well as the 1999 constitution of Nigeria.

To start with, government and administration are not new inventions. For thousands of years and long before the dawn of recorded history, the arts of government and administration have been essential features of man. Infact, from the time man emerged from the most primitive forms of association he has had to devise administrative system. Therefore the functions of the

modern state and consequently its public administration are becoming profound both in their dynamism and in their universality.

Furthermore the key to the understanding of political conflict of Federal States is to recognise that the major goal defined by the State is that of modernization and development. In this respect the United Nations (1961) working group on decentralization stressed the value of local government Councils for training people in self government.

***“Local authorities pose problems of government
On a small enough scale for the citizen to take
An intelligent and effective interest.....
Experience in dealing with local affairs gives
People an appreciation of what is involved in
Dealing with more complex issues on a wider
Geographic basis”***

Decentralization measured in conjunction with local government as expressed in the above citation is meant to initiate a system of decentralized decision making so that the rural communities be well administered.

In essence, the pervasive need for a workable theory of local government is distinctively linked with the desire of various local Communities in the World for self government, social, economic and political development. This has in another sense brought out the spirit of oneness, and concerted efforts in all nations in establishing a progressive system of local government administration to foster rural development.

Considering the foregoing, decentralized decision-making (especially to local government Councils) is likely to be more efficient in responding to problems especially in large areas with poor communications. Decentralized administration also provides less scope for the central government bureaucracy to make mistakes and spread the risk of learning how to administer. In this way, smaller units will provide a better chance to co-ordinate the various services of government and allow local communities to control their own bureaucracy.

Agreeably, intergovernmental relations are a common attribute of governmental activities most especially in a federal state like Nigeria with disparate communities.

It is also a common knowledge that local governments' activities are closely linked with the state and federal government and this has hitherto necessitated a framework that would be beneficial to effective intergovernmental working environment, in which the three tiers of government will perform duties allocated to them devoid of conflicts. It is in-essence important; if a theory of local government administration is to be effective, to have a conducive atmosphere for the smooth operation of governmental undertakings, most especially in developing countries.

To this end, the theory of local government administration will be made more meaningful with exposition of the tenets of effective local government expanded by the United Nations, in its *Handbook of Public Administration* (1961).

Altogether six alien features were discussed: First, if local government is to be effective how ever, it needs more than legislation for its establishment. It should likewise be given significant functions and power and also compatible resources so that it may perform not only inform but in substance as the responsible organ in local affairs.

Second, the moment a local authority is given specific exclusive functions; it ought to have adequate funds to carry out these functions and to deliver required services. Such funds should be provided by the sharing of certain revenue or by grants-in-aid from national/federal government or by the local authorities through authorized levy or certain rates and taxes.

Third, the Country's size is a relevant consideration in determining the structure and area of local government. In such a large country like Nigeria therefore, each local authority should be large enough to be able to achieve administrative efficiency and economic visibility.

Fourth, a local government deserves competent personnel. With inadequate funds, difficult Communications and a low standard of education, there is need for assistance from the Central/Federal or State Government as the case may be.

Fifth, supervision of local authorities required both in audit and inspection since they are assuming enormous duties of interest to the generality of the people. Such supervisory functions should also be supplemented by a system of technical services in such field as personnel, purchasing, finance, training and planning. Supervision should however, be conducted in a manner as not to jeopardize “local initiative and community responsibility.

Lastly, in order to activate all the above mentioned points/ tenets, intergovernmental conflict this is a necessary civil in a federal policy, should with amicable and mutual cooperation be turned into a network of intergovernmental cooperation. In essence it is important that there should be a close and direct relationship between local government and other arms of government for the achievement of efficient local administration.

At this juncture, it is imperative to go little further in our analysis of the theory of local government administration and this will bring us to the 1976 Guidelines for local government reform in Nigeria which can be regarded as the function on which the establishment of local government, as a third tier of government, is made more pronounced.

The 1976 Guidelines for Local Government Reform

As opposed to post 1976 era in Nigeria, the period before 1976 could simply be described as a period of uncoordinated local administration in Nigeria. Different regime operated various types or organization to foster development at the local level.

In this case, the first conscious attempt made by the Federal Government in systematizing Nigeria Local Governments can be seen in the forward to Guideline for local Government. Reform, which states:

“ in embarking on these reform the Federal Military Government was essentially motivated by the necessity to stabilise and rationale government at the local level. This must of necessity, entail the decentralization of some significant functions of state governments to local levels in order to harness local resources for rapid development. The Federal Military Government has therefore decide to recognize local governments as the third- tier of government activity in the nation. Local Government should do precisely what the word government implies i.e. governing at the grass-roots of local level”.

With the above expression it becomes imperative to note that the Federal Government has decided to recognize local governments as agents of development.

In like manner, the Federal Government defines local government in the same 1976 Local Government reforms as;

“Government at local level exercise through Representative Councils established by law to Exercise specific powers within defined areas. These powers should give the councils substantial control over local affairs as well as the staff and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and federal government in their areas and to ensure through devolution of functions to these councils and through the active participation of the people and their traditional institutions that local initiative

and response to local needs and conditions are maximized”.

The above definition will quite clearly form the bedrock on which our analysis of the theory and practice of local government administration will be based. In this way, we shall endeavour to give a critical analysis of the way and manner in which we have been able to blend the theory and practice, and the problems inherent therein.

Similarly, our analysis will not be comprehensible enough without expatiating on the functions the local governments are to perform since this will surely determine the administrative machinery in each of the local governments.

It is in recognition of this fact that the Federal military government though it as necessary to the success of the 1976 Local Government Reform to decentralize some significant functions of State government to local levels in order to integrate local resources for rapid development. These functions are described as those:

- (a). Which require detailed local knowledge for efficient performance
- (b) in which success depends on Community responsiveness and participation and
- (c) which are of a personal nature requiring provision close to where the individuals affected live, and in which significant use of discretion or, understanding of individuals is needed.

In like manner, now the suspended 1979 presidential constitution clearly spelt out the inception of the local government as a third tier of government. Consequently arising from the same 1979 Constitution; the Local Government Edicts and the Allocation of Revenue Act 1981, the Local Governments in Nigeria derive revenues from the following sources:

- i. Their individual shares of the 10% allocation from the Federal Account;
- ii. their shares of the allocation of 10% of the total revenue of their respective States governments;
- iii. internally generated revenue from the following sources among others;
 - a. taxes and rates
 - b. fees from licenses and facilities provided by Local Governments such as markets and motor parks and
 - c. revenue from commercial ventures.

From the foregoing therefore, we ought to be able, to relate the issues of theory and practice as regard local government in Nigeria, and the next stage of this paper will focus more on this.

Critical Review Since 1976

With the inauguration of the 1976 Guideline for Local Government Reform, the issues of the establishment of local government system was resolved, and a unified system of local government system was introduced throughout the Country. This system became more formalized and institutionalized as earlier mentioned in this work, by the recognition given to local governments as a third-tier of government.

Therefore, a critical commentary on the differences and problems inherent in the theory and practice of local government administration will automatically take us back to our earlier discourse on the theory of local government administration vis-à-vis the 1976 Local Government Reform and the 1979 Constitution. All these issues, in essence, will be the tenets of our theory against various administrative deflections and departure on various activities of the local governments based on intergovernmental political network.

Our analysis will be in four phases viz 1976 to 1979; 1979 to 1983 (Second Republic); and 1984 to 1999 and 1999 to date

The first phase, 1976 – 1979 witnessed the starting point of the new local government system under a military regime. As a result, 301 Local Government Councils were created and elections were conducted to the Councils on non-party-basis. It is pertinent to note that since the inception on non-party-basis. It is pertinent to note that since the inception of the 1976 Local Government Reform and up to date, only one election had to far taken place. The period 1979 – 1983, although a civilian regime did not witness a local government election.

Therefore, in assessing this phase 1976-1979, one important advantage it had more than the other phase was that it was a period of economic buoyancy for the local government councils. Between 1976 and 1980, a total of ₦1, 078 billion was granted by the Federal Government to Local Governments. It is of importance to note that considerable achievements were made during this period due to stable political environment and inconsequential interference by the State Governments.

Upon all, other fundamental problems erupted; notable among these was the issue of hierarchical pattern of supervisory structure over local governments. Instead of allowing a conducive administration atmosphere for the local governments, the State Governments continued to teleguide the local governments, and this apparently was a diversion from the system of local government administration that mandated the local governments to be a third-tier of government. It is also against the earlier system of local government which emphasized that supervision should be conducted in such a manner as not to jeopardize local initiative and community responsibility. All these problems although minor, created other administrative problems in the Second Civilian Republic.

Admittedly, the period 1979-1983, supposedly a democratic era, was characterized by various diversions from the theory of local government administration. Various fundamental issues, sue to unstable political environment were raised among which were creation of local governments; local government elections and structures; welfare of the masses at the grassroot; and notably finance and intergovernmental antagonism.

Fundamentally, a local government Council, as earlier stated in the theory of local government administration, needs more than legislation for its creation is should also be autonomous. The 1979 Constitution Section 7(1) states that:

“The system of local government by democratically elected local government councils is under this government of ever State shall ensure their existence under a law which provides for the establishment structure, compensation, fiancé and functions of such Councils.”

This section of the Constitution clearly indicates that local government councils could be created and dissolved at will by the state governments. Whereas the other tiers of government still enjoy relative autonomy since they cannot be created and dissolved at will. This fundamental problem led to creation and dissolution of many local government councils in the Second Republic. This impulsively, led to inevitability of these local government Councils to the point that most State Government refused to pay Local Governments their Statutory 10% of their internally generated revenue.

Furthermore, this same section of the constitution also serves as a measuring rod to really grasp some significant problem/development during this 2nd civilian era in which:

- (a). No popular election was held at the local government level throughout the federation between 1979-83 even though the local government elected the President, the vice-president, the president of the senate, all the senators, the members of the federal house of representatives, the state governors all the members of the state legislature;
- (b). The 301 Local Governments entrenched in the Constitution were violated and increased to 704;
- (c). Most State Governments never paid their 10% statutory Allocation;

- (d). 10% Federal Statutory Allocation paid through the State Joint Account was manipulated by the State Governments to the detriment of the local Governments;
- (e). Tax Collection was abolished in most States of the Federation on political grounds.
- (f). Functions reserved for local governments like markets, motor Parks and revenue collection were either taken over or exercised by State Governments;

All these problems in summation clearly indicate that in the Second Republic the practice of local government administration was in its totality at various with the theory.

At any rate, giving the political environment under which the local government council operated during this period (1979 -1983), we ought to ask our self two questions. First, in our endeavour to develop the rural communities, would it be possible to mobilize the rural masses without democratically elected local government councils. And Second, knowing fully well that majority of the citizens reside in the rural areas where most of the local government are located, is it not worthwhile to allocate more than 10% of the Federal Statutory Allocation to the Local Government as a third tier of government.

Strikingly, it is rather sad that the second civilian republic which could have ushered in a democratically outstanding third tier of government digressed, albert, massively from the fundamental issues of evolving a functional local government system.

The period (1986-86), with the incursion of a military regime in December 1983 saved the Local Government system from total break done. The new military regime had to brace up in order to save the local government from the intolerable and degraded conditions in which the defunct civilian regime abandoned the third-tier of government.

In like manner an interim local government administrative system was instituted before the Dasuki panel setup in May 1984. Prior to third period it was the sole administrator system that was practiced. This is the system whereby one person is appointed from either the Local Government Unified Service or from the State Government Civil Service pool and sent to the Local Government Council without prior consultation with the Local Government Service Commission.

Looking at the system, it is absolutely contrary to the earlier mentioned theory of local government administration; it is undemocratic, since the sole administrator alone constitutes the political arm of the Council. So also the system fails to inculcate the involvement of the people in their local affairs. Lastly, this arrangement does not conform with the 1976 Local Government Guidelines which recognize participation of the local people at the grassroots levels. In essence, its disadvantages surpass at length its advantage and no wonder it was reverted back to its former 301 number.

Since 1999, the position of local government became more critical in terms of not only structural disagreements but also on the need to evolve viable and functional local governments. Despite the 1999 constitutional provisions with regards to the power to create local governments, the issues of structure and creation of local government are yet to be resolved. Similarly, the federal government in 2002 carried out a review of local governments and arrived at a conclusion that 82% of local governments in Nigeria are unviable. This is because they cannot generate internally 33.3% of their annual estimates or budgets. Similarly people are becoming uncomfortable with the services being rendered by local governments since 1999 although there are few exceptions.

Conclusion

Local Government in Nigeria has not been given it proper pride of place. The democratic principles that is, the idea of bringing government nearer to the people and the idea of no alienation over the year has been more theoretical but less practical. This is because since 1976 only three major local government elections took place.

Similarly the issue of mobilization for self-help projects a unique function of local government the world over, has in Nigeria remained an utopia ideal. Local Governments have not been effectively used for the maximization of local development or as a centre of enlargement. Their orientation to service delivery despite the various seminars and workshops

still fall far below expectations. The various local governments have equally not solved the problem of corruption especially that of misappropriation and embezzlement of public funds.

Finally the major objective of bringing development nearer to the people is in many ways yet to be achieved. Local governments still don't have basic statistics on unemployment, infrastructures, rural economic activities and general environmental problems. Where such statistics hardly exist, they are usually unreliable. With this background of lack of basic statistics, the goals of the local governments budgets are usually underachieved.

FOOTNOTES

1. Chambers 20th century Dictionary P. 1341.
2. Engene J. Mecham “*The Theory and Method of Political Analysis*”, Illinois ‘The Dersey Pres, 1981 p.129.
3. *Ibid*
4. United Nations Technical Assistance programme, *A Handbook of Public Administration*, Department of Economics and Social Affairs, United Nations New York, 1961 p.4.
5. Samuel Humos, *Decentralization for National and Local Development* (New York, United Nations Sales N0. 62 11 H.2 (1962) P.13
6. United Nations and Eileen Martin ‘The Structure of Local Government, A Comparative Survey of 81 International Union of Local Authorities 1969 pp. 32-33.
7. See *A Handbook of Public Administration United Nations Technical Assistance Programme* (U.N. 1961 pp. 68-69).
8. Federal Republic of Nigeria, Guidelines for Local Government Reform: (Government Press, 1976) see the forward
9. *Ibid.*, P.1
10. *Ibid.*, P.2
11. See the Suspended 1979 Constitution of the Federal Republic of Nigeria and the 1999 Constitution of Federal Republic of Nigeria.
12. See D.O. Oyelakin, Paper Presented on behalf of the Local Government Unit, Office of the Chief of General Staff, General Staff Headquarters at the Workshop on ten years of National Local Government Reform in Nigeria Organized by the Department of Local Government Studies, Faculty of Administration, Obafemi Awolowo University, Ile-Ife from June 30-July 2, 1987 p.3
13. Party suspended 1979 Constitution *op.cit* Section 7(1) and section 7 of the 1999 Constitution.
14. M.O. Onajide –*The Viability of Local Government System in Nigeria* since 1976, Paper presented on “Ten Years of National Local Government Reform in Nigeria organized by the Department of Local Government Studies, Faculty of Administration, Obafemi Awolowo University, Ile-Ife June 1986.
15. Federal Republic of Nigeria, Report of the Committee on the Review of Local Government Administration in Nigeria, Federal Government Press, Lagos, 1984 p. 16.
16. Federal Republic of Nigeria, Views and Comments of the Federal Military Government on the Findings and Recommendations of the Committee on the Review of Local Government Administration in Nigeria. Federal Government Press, Lagos, 1985. Page 1.

IMPROVING ETHICS IN NIGERIAN PUBLIC ADMINISTRATION: SOME LESSONS FROM THE BRITISH EXPERIENCE

S. B. FAJONYOMI

There is an increasing trend of unethical behaviour in African public administration. Though what constitutes ethical behaviour varies from one society to the other, corruption remains unacceptable, irrespective of the society. The word corruption in Africa seems to be synonymous with public administration. Political and administrative corruption constitutes one of the basic characteristics of the African State. What has been referred to as “systemic corruption” (Diamond, 1991:74) pervades the entire political systems of virtually all African states, though in varying degrees? It is the root of political instability in the continent. Military juntas use it as justification for their interventions in the political scene, despite the fact that they themselves, after some time, end up in the same game. There is no denying the fact that corruption originated from the personalized rulership that characterized most of these countries after independence. This has led to what Jonathan Moyo (1992:98) called the “sociology of patronage”, that is, the excessive cultural personalization of public issues and public business ... the process of value formation by which personal and localized ties are asserted at the expense of the national interest”. Little difference, if any, exists between African bureaucratic system and Weber’s patrimonialism (Weber, 1947:341).

The most fundamental feature of the patrimonial system can be summed up in the expressions of Weber himself that “all governmental authority and the correspondingly economic rights tend to be treated as privately appropriated economic advantages” (*Ibid.* p. 352) or that “governmental powers and the associate advantages are treated as private rights” (*Ibid.* p. 353).

In this type of situation, the official is inseparable from the office he occupies thereby personalizing bureaucratic operations, contrary to impersonality recommended by Weber, and creating what Goran Hyden called “bureaucratic kinship. “Moyo (1992:98) Power (bureaucratic or political) in Africa, according to Dudley (1982:22), “is not a relation as it would generally be construed to be, but a ‘property’, (or put differently, a predicate), and as such something to be valued not only for its own sake, but because its possession is what makes everything else possible. “Public offices are thus considered by their holders as avenues for personal aggrandizement through accumulation of private wealth and distribution of public patronage in appointments and disbursements (Forrest, 1993).

Many African countries have tried in vain to battle this perennial problem Kpundeh (1994). Nigerian is no exception (Diamond, 1991). Despite various governmental moves to curtail the plague, the country is nowhere achieving success. The evidence is the recent classification of Nigeria by Transparency International, a German-based group, as “the most corrupt country in the world.”

The effects of this phenomenon are notice not only in the performance of Nigeria’s public bureaucracy, but also in her continual struggles for the establishment of an enduring democracy (Joseph, 1987). In the bureaucratic sphere, because of the form of personal relationships that exist between some superior officers and their subordinates, normal chain of command is bypassed in the name of family obligations, friendship and patronage. Consequently, applications of administrative regulations and disciplines are slackened. The end result is what

we can call administrative ineptitude, where tasks are assigned but not done, and such officers cannot be reprimanded because of their links with some highly placed personalities somewhere.

In addition, there exist serious problems in the recruitment of officers. The kind of professionalization that is required for an efficient bureaucracy is absent because officials are not mainly recruited on the basis of their job related skills. This problem is considered as one of "African predicament". Recruitment is highly influenced despite the laid down regulations. The quality of candidate is often not taken into consideration. Group affiliation, especially ethnicity, or other forms of considerations take precedence in appointment or selection for offices or positions. Based on this form of recruitment, one should not expect much from officers who lack the required qualification, but perform responsibilities meant for professionals (Fajonyomi, 1996).

The effect of corruption on democracy is even graver. It has made orderly transition of government difficult. Free and fair elections cannot be guaranteed because the highest bidders are sure of winning the favor of electoral officials. Since political office is considered more of an investment than service to one's nation, the game of politics has become a do or dies affair with losers not ready to accept the electoral verdict. An electoral defeat is regarded as a denial by some of the right to cut one's share of the national cake. Consequently, it becomes even difficult to talk of a governmental in the real sense of it in most African countries.

Given the above circumstances, it is normal that one should be preoccupied with ways of reducing, if not stopping the progression of this epidemic. Of recent, donor countries tie aids of good governance. And for good governance to exist, there must be efficiency, accountability and transparency in public life. It means creating avenues for the reduction of corrupt practices in the public sector. Many forms of strategies for reform have been suggested (Klitgaard, 1988). Among the strategies proposed is for the government to take measures that will reduce opportunities for corrupt gains, while at the same time increasing the punishment for such crimes to discourage future violations. In my opinion, the best approach will be a re-socialization of the attitudes of Africans, especially public servants, towards corruption. This is because corruption in Nigeria is more of moral than economic or political problem (The Economist, June 8th, 1996:52).

How this could be done, based on the British experience, will be the subject of this paper. The paper will in the first instance focus on ethics and public administration. Then an attempt is made to present some visible ethical problems in the Nigerian public administration. Also, the perspectives of ethical behaviour, and especially the institutional devices for promoting ethical performance in Britain are discussed. In the concluding section, the paper makes certain recommendations that can be useful in promoting ethical behaviour in Nigerian public administration.

Why Ethics in Public Administration?

The Oxford English dictionary defines ethics as a system of moral principles or a science that deals with morals. The term ethics is all embracing as it could mean values, norms, standards, morality, among others. Accordingly, DeGorge (1982:12) affirms that "Morality is concerned with those practices and activities that are considered right or wrong: it is also concerned with the values those practices reflect and the rules through which they are carried out within a given setting". It is not easy to define what constitutes right or wrong conducts. A lot of variables come into play when it comes to determining what is morally wrong or morally right. The person and the place but also on timing, this depends not only on the environment.

The ethics of a medical doctor is quite difference from that of an accountant or a civil servant. Ethics in the public service is termed administrative ethics. Though the role of ethics in government may not have been a serious consideration over the years. Thompson (1992:255) opines that "ethics is mainly instrumental to government: its main purpose is to contribute to other intrinsic goals of government". It is not unusual for ethical behaviour of professions to clash with the ethics of public service (Bell, 1985). This is why Chester Barnard (1958:4) described ethical conduct as "governed by beliefs or feelings of what is right or wrong regardless of self-interest or immediate consequences or a decision to do or not to do specific things under particular conditions".

Why Ethics Developments?

A number of developments have made the study of ethics in public administration pertinent (Dwivedi, 1995:296-7). These include (1) continued growth in size, scope and complexity of government and its resultant negative attributes (generally referred to as Leviathan of the Administrative State); (2) Insistence of public towards open, accountable government; (3) Demand for enhancing and protecting individual rights and freedoms; (4) A general feeling of disappointment with the conduct of elected public officials, and frustration with the erosion of the concept of service and dedication among government employees; (5) Growing cynicism about the capacity of government leaders to protect the quality of environment and their ability to enhance human dignity, and (6) A deep feeling that people in politics and administration are not to be trusted.

Reason for Ethics

Based on the above developments, efforts at improving ethical standard of public administrators will according to Starling (1986:146-47) serve some purposes. One, it will help public administrators accelerate decision-making process. Two, it will make decision making more consistent. Three, it may reveal the value base of certain decision which hitherto were believed to be value free. Lastly, it helps public administrators arrive at judgements that can be easily defended in public.

The study of ethics in public life can be approached from three dimensions: the citizen, the politicians and the civil servants (Jayal, 1995:272-73). The citizen must as a matter of duty, if they want to prevent public servants and politicians from greed, corruption, dishonesty and nepotism, be vigilant and be ready to hold public office holders accountable for their action. This involves the citizen trying to determine the type of government they want through civic activities aimed at responsible leadership. In the same vein, politicians must be ready to accept personal probity. Any politician who uses his office for self-aggrandizement, personal advancement, financial gain or material security should be made to realize he has committed a breach of ethical code. The civil servants should also come under the same sanctions like the politicians. They should come under personal probity to live up to their professional responsibilities. The use of public institutions as personal fiefdoms should no longer be overlooked; their involvement in leading or keeping official secrets under the argument of *raison d'état* should be revisited.

Consequently, public administration theorists have identified certain areas where morality for public officials can be focused. Willbern (1984) identifies six of such, and these include: (1) basic honesty and conformity to law, (2) conflicts of interest, (3) service orientation and procedural fairness, (4) the ethics of democratic responsibility, (5) the ethics of public policy determination, and (6) the ethics of compromise and social integration.

Ethical Problems in Nigerian Public Administration

The fact that Nigerian public administration is faced with ethical problems is not strange. All those ingredients that come together to create and develop a virile public service are absent in its public service. Consequently, efficiency and higher productivity have never constituted any concern for the institution whereas, for the public administration to be able to meet the challenges of economic and social development, these are part of the principles, which should guide it.

Despite the numerous reforms carried out to build Nigerian public administration to a respectable standard, the outcomes have not justified the efforts. Among the problems that have driven the public administration of Nigerian to this state are "the expansive tendency of the bureaucracy and the misuse of position, both aimed to further self-interest of bureaucrats (Dauda, 1990:485). This bureaucratic self-interest syndrome has led to a bloated bureaucracy that cannot perform task or create initiatives for real developmental goals. What emanates from this is a situation where objectives are not measurable evotions are inadequate, time is mismanaged, persistent disorganization, personnel mismanagement and neglect of training (Phillips, 1991:229-232). As a result of all these, applications of administrative regulations and

disciplines are slackened thereby causing administrative ineptitude, where tasks are assigned but not done and no punishment is meted because of personal connections (Fajonyomi, 1998:60).

Unethical behaviour and corrupt practices on the part of government officials in Nigeria are so rampant that no ministry or agency is free from this social menace. It is so systemic that every aspect of the society is affected by the phenomenon. The former Secretary to the Federal Government of Nigeria, Alhaji Shehu Musa captured the situation this way:

“It permeates through all levels of the society. The high and low cherish and adore it. It is found everywhere and adorn the system of our life. It is the main yardstick through which one’s attainment of success is determined. We scorn a divide on those among us who do not see it as the only way to sustain our extended families, friends, hangers on, cohorts or well wishers as they are often called. Perhaps, it is also time to say, that the only genuine growth we have witnessed since independence is the growth of corruption, as it has not only continued to grow with us but its sophistication and diversification have spirally overtaken that of larger society”. (Kanu; Osinbajo: 1991).

The 1988 civil reform was targeted at rectifying some of these shortcomings in Nigerian public administration. The reform, that was well acclaimed, not only adopted a uniform structural design for all the civil service of the federation it also went ahead to professionalize the civil service by recommending that mobility of officers to stopped to enable each officer pursue his entire career in one ministry, specializing in a single professional line in his ministry. In addition, the reform tried to enforce public accountability by ensuring that public funds are put into good and effective use all the time (Phillips, 1988).

Other aspects of the reform according to Dlakwa (1992) include:

1. The combination of the roles of the chief executive and accounting officer by the minister.
2. The creation of Internal Audit Unit to screen dubious financial transactions.
3. Submission of financial reports periodically to the Public Accounts Committee.
4. Streamlining of authority to inner expenditure by public officers through the imposition of strict ceiling, which officers must not plan. This does not even mean that an officer must spend all his vote within the stipulated period for the sake of it.

The attractiveness of these provisions are not in doubt. However, problems in implementation have forced the government to reverse some of its recommendations through the recommendations of the Ayida panel if set by the federal government in 1994. The reason for this is nothing other than “the hopeless behavioural traits of the bureaucrats, shrouded in a complicated and highly constraining social and political environment”. (Dlakwa, 1992:307).

Ethical basis of the British Public Service

One of the central principles of most public service in the world is how to promote efficiency and accountability. This must doubt go hand in hand with the protection of citizen’s basic rights in a democratic setting. The U.K. government is well aware of this twin goal that efforts are made all the time, through institutional reforms, to see that these goals are achieved. It is in the process of this that the government produced two White papers in 1991, viz. “The Citizens Charter” and “Competing for the citizen’s Charter is built around some broad principles like (Mottram).

Standards – there should be published explicit standards for the services that individual users can reasonably expect and publication of the actual performance achieved against them;

Information and Openness – there should be full and accurate information readily available in plain language about how public services are run, what they cost, how well they perform and who is in charge;

Choice and Consultation – the public sector provide choice wherever practicable. There should be regular and systematic consultation with those who use its services. Users' views about services and their priorities for improving them should be taken into account in final decisions on standards;

Courtesy and Helpfulness – there should be courteous and helpful service from public servants. Services should be available equally to all who are entitled to them and run to suit their convenience;

Putting things Right – if things go wrong there should be an apology, a full explanation and an effective remedy for failure. There should be a well-publicized and easy to use complaints procedures with an independent review wherever possible; and

Value for Money – efficient and economical delivery of public service within the resources the nation can afford. There should be independent validation of performance against standards.

All these principles have served as background for the development of public accountability and open government in the U.K.

Despite these principles, there have been series of reports of unethical behaviour touching not only civil servants but also politicians to the extent that “official reports highlighted the growing sense of unease in many influential sectors of British society over the absence of appropriate standards of conduct in public life”. (Birkinshaw. 1995:585) The famous Matrix Churchill Episode in which many British parliamentarians and businessmen were implicated for exporting arms to Iraq under fake licences highlighted the fear. However, the case collapsed because certain information that were needed to prosecute the ease were suppressed under the excuse of *raison d'état*!

It was in an attempt to forestall future occurrence of such that the Government sought new methods to preserve high standards in ethics in the public service. The Nolan Committee that was set up to investigate the case came up with certain recommendations to improve standards in public life. These recommendations are three pronged (Reid, 1995:577).

First are investigations and reports, which expose and measure problem areas. Second is corruption prevention by which other systems are improved so as to reduce corruption opportunities to a practicable minimum. Lastly is public education through which people are informed of how their contributions can make a difference to the common good. The above stated objectives are achieved through the role of the Ombudsman, ensuring openness in government and Whistleblower doctrine.

The role of the Ombudsman

The Ombudsman or Parliamentary Commissioner for Administration in the U.K. is set up to investigate complaints (such as rudeness, faulty procedure, partiality, refusal to answer reasonable questions, bias in administrative conduct etc.) made by members of the public about injustice which they consider they have suffered through maladministration by government departments or a wide range of public bodies (Reid, 1995:578).

The Ombudsman has wide powers, which are subject to parliamentary review from time to time. The Ombudsman cannot initiate laws but may suggest changes in certain laws. However, it is for the Government and the Parliament to effect such changes via the parliamentary process. Similarly, the Ombudsman does not compensate a complainant. It is the duty of the affect body to pay for its mistakes and redress the aggrieved person. He confers benefit by his investigations on:

- (i) the individual seeking redress, if a complaint is justified;
- (ii) the body complained of if a malicious complaint is not upheld; and
- (iii) the body politic, if his recommendations lead to improved systems and procedures or to better information for the public (Ibid.).

Openness in Government

British government, in 1994 passed a law on *Code of Practice on Access to Government Information*. The aims of the Code, according to the Government, are to protect the interests of individuals and companies by ensuring that reasons are given for administrative decisions (subject to limited exceptions).

The code allows members of the public the opportunity to obtain information concerning major policy proposals and decisions, reason for each decisions, how public organizations are run their objectives and results. Openness in government encourage public accountability as citizens can request for information relating not only to policies but also to actions of governments. Although this may not serve as guarantee against corrupt practices, it may however make its spread difficult.

Whistleblower Doctrine

Whistleblower doctrine involves the disclosure of dangerous, illegal and improper conduct or activities, especially by a more senior official in the hierarchy, that are inimical to the public interest. More and more countries have evolved this system as a check against abuse of administrative positions and procedures. However, whistleblowers in Britain are not as immuned from disciplinary and administrative consequences of their disclosures like their counterparts in the USA for example.

Concluding Remarks

What the above measures portend is a situation where public servants (honest ones) have agreed to put the State's interest above their self-interest. For the implementation of a successful public accountability system, Dwivedi (1985:65) enumerates certain principles, which must be followed. These include:

1. Public servants themselves must understand and accept their responsibility for the results expected of them.
2. Public servants must be given authority commensurate with their responsibility.
3. Acceptable and effective measures of performance evaluation must be utilized and the results communicated to both superiors and to the individual concerned.
4. Appropriate equitable and timely measures must be taken in response to results achieved and the manner in which they are achieved.
5. A commitment is required from political leaders and ministers, not only to honour these accountability mechanisms and procedures but, more specifically to refrain from using their positions of authority to influence the normal functioning of the administration.

Although most of the administrative reforms carried out in Nigeria were targeted at establishing these principles, in practice the expected results are far from being achieved because of the social-political environment in which public administration operates. It is based on this note that the following recommendations are proffered for improving ethics in Nigerian public administration.

One, efforts should be made to democratize public administration practice and procedure in Nigeria.

Two, the secrecy in which most governmental business, especially official decisions and actions are enshrined should be demystified to make provisions for explanations of certain governmental decisions.

Three, more freedom of expression should be guaranteed to make provision for political capacity building. People should be given more opportunities to contribute actively to how they are governed.

Four, those guilty of unethical conduct should no longer be treated with kid's gloves. If such behaviours are going to be discouraged, the attendant punishment should be such that will discourage intending perpetrators of such acts.

Lastly, efforts should be made to see that all public servants, irrespective of social, political or ethnic affiliation, respect the basic provisions of Code of Conduct. A situation where not up to 10% of current serving public officers declared their assets as required by the decree establishing the Code of Conduct and its Bureau does not augur well for the establishment of sustainable ethical standards for public administration in Nigeria.

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BUREAUCRATIC CORRUPTION IN THE PUBLIC SERVICE: A CASE STUDY OF THE NIGERIAN LOCAL GOVERNMENT

I. O. ARANSI

Introduction

Corruption as a social vice in the Nigerian facets is all engulfing, as there has not been any area of the national life not touched. In recent times, most newspapers derive their headlines from scandals in various public organizations, Local Government inclusive. Like a deadly ugly monster, hydra-headed cankerworm, corruption has eaten deep into the fabric of the Nigerian nation. It has been identified as the bane of the Nigerian society. In fact, it is so endemic or systemic that many Nigerians have come to accept it as a way of life.

Corruption is a universal problem not peculiar to Nigeria as a country. However, the lack of sufficient checks to deter, punish or incarcerate offenders has aggravated the problem. In Nigeria for instance, there has been a lot of distortions in several respects regarding our cherished primordial values as a result of the long years of military rule. There arose, in an unprecedented manner, lack of probity and transparency. The noble quality of honesty of purpose and action and accountability, which were the cherished values of our forbears, was relegated to the background and the quest for materialism or ill-gotten wealth by all means became the order of the day and our most cherished value (Akanbi, 2002). Even today, the problem of corruption still persists.

This paper therefore examines bureaucratic corruption in the public service, using the Nigerian Local Government as a case study. The paper highlights the various forms and levels of corruption prevalent in the Nigerian public service and specifically the Local Government. An attempt has equally been made to identify cases of and accusations of corruption in Nigerian public organization and specifically in Local Government. Furthermore, the paper suggests possible remedies against corruption in the Nigerian public service and the Local Government.

What even is bureaucracy and what is corruption? What is bureaucratic corruption? It is imperative to go into elucidation and clarification of these concepts.

Conceptual Clarification

To facilitate their usage in this work, it is appropriate to start the conceptual clarification with the term bureaucracy.

The concept 'bureaucracy' has been defined by several authors and scholars. In the opinion of Max Weber (1958), a renowned scholar of bureaucracy and other authors, the concept bureaucracy has been seen as administrative organ. Olowu (1996) opines that the state expresses its will through a number of institutions, the most important of which is the executive branch of the government. To him, executive branch responsibilities are carried out by the 'bureaucracy'. According to this scholar, bureaucracy has two forms – the armed and the civil bureaucracies. As Max Weber and other scholars of the bureaucracy have pointed out, every society, however primitive or modernized has its own 'bureaucratic' or administrative organs. What distinguished the modern bureaucracy from all its pedigrees are its structural and operational characteristics – division of labour, unity of command, separation between private and public domains, meritocracy, etc – all of which ensure that the bureaucracy operates like a highly efficient machine: impersonal, objective and anonymous. However, in order to ensure that the executive branch is subject to the will of the peoples in democratically governed countries, legislative and judicial institutions are created as autonomous and separate branches of the government to carry out specified functions of governance and at the same time serve as a check on those who wield or exercise executive powers. These two institutions are further

reinforced by society-based institutions – which include the media, corporate bodies, political parties, community organs, philanthropic and voluntary organizations, non-governmental agencies etc (Olowu 1996).

The second concept worthy of elucidation and clarification in this paper is ‘corruption’. Corruption does not get a concise definition, but it can be analyzed as a violation of a public duty or a departure from high moral standards in exchange for personal pecuniary gain, power or prestige; such conduct may be illegal or may constitute departure from ethical standards without violation of law. Legislation that defines and outlaws improper conduct in connection with elections, the bribery of public officer, the falsification of public records, the embezzlement of public funds and the fraudulent sale of public lands and other natural resources constitutes the principal body of law dealing with corruption. Partiality in grant in of licences, the “sale” of honours, favouritism in the award of contracts, the making of tax refunds that outrage public standards of good conduct, favouritism in the enforcement of statutes against immoral conduct, as prostitution, the deposit of public funds in friendly banks, the disclosure to friends or to former or prospective business or professional associates of information on the basis of which these individuals may reap pecuniary benefits and providing protection for certain class interest, while not always made illegal, often are viewed as examples of corruption in public life. (International Encyclopaedia of the Social Sciences).

Corruption can therefore be considered as an all encompassing word which stands not only for institutional decadence (also mismanagement or misappropriation) but also includes moral and personal decadence such as bribery, nepotism and prostitution. There are few men in this world untainted by the stigma of corruption. However, most people of some morals detest corruption.

Corruption in this paper will be treated as official corruption. Official corruption is a form of oppression which many people have experienced personally and which is often used when measuring government performance (Peil, 1976). Official corruption should be differentiated from social and moral values. Peil (1976) has proved that corruption fit into the norms of the Nigerian society so that ‘although they attract formal reproach, they may be considered quite acceptable by members of the public (West Africa, 1975).

Following from the above conceptual clarifications, ‘bureaucratic corruption’ the third concepts, can therefore be said to refer to all acts of omissions of career civil or public servants in charge of Federal, State and Local Government Departments which violate the known code of conduct for such officials. Such acts or omissions include: indulging in bribe and spoil, embezzlement and misappropriation of public fund, inflation of contracts etc (Adediji, 1991).

Having clarified the concepts used in this paper, the next section focuses attention on the nature of bureaucratic corruption in the Nigerian Public Service.

THE NATURE OF BUREAUCRATIC CORRUPTION IN THE NIGERIAN PUBLIC SERVICE

President Olusegun Obasanjo (1999), in his maiden/swearing in speech states:

corruption, the greatest single bane of our society today, will be tackled head on ... No society can achieve its full potential if it allows corruption to become full blown cancer, it has become in Nigeria.

The above statement illustrates the state of perversion or impurity, rot or decay in the Nigerian polity arising from widespread corruption. In several other speeches, Obasanjo contends that:

“With corruption there can be no sustainable development, nor political stability; by breeding and feeding on inefficiency, corruption invariably strangles the system of social organization. In fact, corruption is literally the anti-thesis of development and progress. It inhibits good governance, undermines economic development, stunts growth and creates political instability within the system. It equally breeds all forms of social

maladies including fraud and violent crimes; it undermines efficiency and business interaction among countries” (Olusegun Obasanjo, 2000).

A critical examination of the above quotation points to the fact that corruption is so endemic or systemic in Nigeria.

Corroborating the above position is the revelation in the contribution of Wraith and Simpkins (1964) to the effect that a high level of public corruption is characteristic of all countries at a fairly low level of economic development and that in virtually every sector of the public life the possibility of corruption exists.

The 1979, 1989 and 1999 Constitutions of the Federal Republic of Nigeria recognized the existence of widespread bureaucratic corruption. Hence, the Constitutions provided for the Fundamental Objectives and Directive Principles of State Policy in their chapter two and went further to establish the Code of Conduct Bureau for Public Officers in the fifth schedule.

There has been no divergent opinion regarding the prevalence of corruption in Nigeria. In fact, several scholars have attested to it that there has been widespread corruption in Nigeria. For example, in his treatise published in 1983, Olowu brilliantly identified the following as the causes of corruption in Nigeria: widespread socio-economic poverty, highly centralized bureaucracy, lack of identity by a majority of the people (crisis of development identity, legitimacy, integration among others), absence of sense of mission of professionalism and monumental distrusts (Olowu, 1983). In a nutshell therefore, this scholar identified three factors responsible for the prevalence of bureaucratic corruption in Nigeria. These are (a) widespread poverty (b) the conflict between modern (Western) and traditional values and (c) the dominance of the developing economy by the governmental sector.

In another breadth, the similitude of the phenomenon of corruption in Nigeria has been pointed out by Adebayo (1986) while trying to recapture the observation of Ronald Wraith and Edgar Simpkins (1964) who opine that:

In Africa, corruption flourishes as luxuriantly as the bush and the weeds which it so much resembles taking the goodness from the soil and suffocating the growth of the plants which have been carefully and expensively bred and tended. The forces ranged against it are negligible.

The observation of the above writers is still relevant up till today. In fact, corruption is not time-bound or time specific, for example Adebayo (1986) wrote:

In Nigeria, during four years of civilian rule (1979 to 1983), quite a number of government functionaries each amassed millions of naira, and a few were known to have hit the billion mark. Some of them owned private jets, and palatial mansions in the Western World capitals.

Corruption in Nigeria was not restricted to the civilian regime in Nigeria. In fact, the military regimes manifested an unprecedented high degree of corruption in the Nigerian history. For example, much as the thieving propensity of the Late Sanni Abacha is beyond denial, it was suggested in responsible quarters that some \$8billion were found in the national coffers on his disgraceful exit. This amount is far superior to the meagre \$800 million which General Babangida left when forced out of office. In the opinion of Tony Nyiam (1999):

the Nigerian federal treasury is regarded as a vast pie, to be stolen away piece by piece, at every opportunity, by those who are supposed to protect the treasury from embezzlers. This is so much the case that an official who embezzles funds, centrally hoarded in Abuja, and takes such stolen funds to a remote corner of the country, would not cease to be regarded as a hero.

The mentality of Nigerians as far as corruption is concerned leaves much to be desired. Sometimes in 1999, Babangida was given a national honour. One needs to ask whether the honour was in recognition of his annulment of the June 12, 1993 presidential election which Nigerians and the whole world acclaimed as the freest and fairest election in the country's history.

In another breadth, the Gulf War oil windfall which earned Nigeria \$2.8billion was frittered away. Is this not corruption? Similarly, according to Dr. Pius Okigbo in the probe of the Central Bank, \$12.2billion was liquidated by Babangida in less than six years and the money was spent on what could neither be adjudged genuine, high priority nor truly regenerative investment that these disbursements were clandestinely undertaken while the country was openly reeling from a crushing external debt overhang. These represent a gross abuse of public trust.

Other acts of corruption could be summarized as follows: using official stationery, envelopes, papers etc for private purposes; using government drugs, dressings and hospital equipment for private purposes; using government labour for private work; using government time for private work; mis-use of government motor vehicles for private purposes; demanding for sex from female applicants, demanding money from applicants for jobs and contracts; tampering with applications, contract documents and payment vouchers, misuse of overseas tours; election malpractices; obtaining import licences under false pretences; inflation of contracts, misuse of security funds by Chief Executives etc. (Adebayo 1986).

No wonder therefore, why Nigeria has been said to have acquired a notoriety in the looting of public treasury, in the commission of advanced fee fraud otherwise known as "419 crimes", armed robbery, heinous crimes of all sorts and in the promotion of corruption to an intolerable limit to the extent that the outside world began to see Nigeria as a pariah nation with which it was no longer prepared to do any business. Infact, in 1999, Nigeria was rated as the most corrupt nation in the world by the "**Transparency International**", an American Magazine. It is for this singular reason that the mission statement of the present civilian government of President Olusegun Obasanjo has stated in unequivocal terms that:

Our mission in Government is to change the orientation of Nigerians from greed and corruption to serving the interest of the nation.

The government is trying to do everything possible to achieve this objective.

For example, the Obasanjo civilian administration inaugurated the Independent Corrupt Practices and other Related Offences Commission otherwise called the Akanbi Anti-Graft Panel / Commission on 29th September, 2000.

The primary objectives of the Anti-Corruption Act as stipulated in the Section 6(a) to (f) of the Act include:

- (a) Enforcement (the investigation and prosecution of cases).
- (b) Preventive (embracing the study of systems, practices and procedure of public bodies and advising and assisting such agencies, government departments, parastatals) on ways by which fraud may be eliminated and minimized, make more effective of the discharge of their duties and thereby help reduce the likelihood or in advance of corruption and other related offences.
- (c) Public Education and Enlightenment and mobilization of the public to support the fight against corruption in its capacity building (Akanbi, 2002).

A careful examination of the above demonstrates that corruption in Nigeria can take two forms namely: political and / or economic.

From the political point of view, corruption of political office holders, bureaucrats, public servants, the press and the general public has tended to stigmatize the image of the Government, weaken its credibility and reduce the effectiveness of the development programmes and policies; and also, to a great extent, weaken the economy of the nation.

In Nigeria, some people see bribery as an extension of the traditional (“kola” “Kola accumunata” is a fruit from a tree in Nigeria commonly used to seek for favour). However, the “ten percent” is a corruption of traditional gift since it is demanded and given with expectation of a reward. In other words, Nigerian public servants use corruption and bribery to supplement wages, which enables them to bridge the gap between their wages and the traditional demands and expectations of extended family and hangers-on.

Politicians in Nigeria use corruption as a means of political patronage, serving as a channel for various pressure groups. Corruption is also seen as a means of reducing the harshness of economic conditions.

The economic corruption ravaging the Nigerian economy could be noticed in financial institutions such as banks, the insurance companies and the stock brokers. The banks devalue the Naira on a daily basis through the autonomous market; this subverts the good intentions of the Government to revive the economy. In Nigeria, it can be stated that poverty is a source of corruption.

Virtually all writers agree that corruption is a socio-cultural vice embedded in mass poverty, job insecurity, social norms, unemployment, leadership, level of literacy, frustration, conflict of values, weakness of social and government enforcement mechanisms, tribalism and nepotism, lack of patriotism and general disregard for laws of the land.

Since this paper uses Local Government as a case study, our attempt is made in the next section to examine bureaucratic corruption in Nigerian Local Government.

Bureaucratic Corruption in Nigerian Local Government

Bureaucratic corruption is better noticed at the Local Government level in view of the proximity of this tier of Government to the grassroots people.

Aborisade (1994), sharing the caption of the *Newswatch Magazine* (1993) summarizes the position of Local Government as far as corruption is concerned. The title of the article in the magazine was captioned: “Fortresses of Corruption, Audit Reports Indicts Local Government of Fraud and Corruption”. In a seventy-four-page audit report, the following were the major issues:

- (a) that all the Chairmen of the twenty-one local governments in a particular State were pronounced guilty of financial irresponsibility;
- (b) that the Local Government Councils had become fortresses of financial malpractices;
- (c) that these financial malpractices include: inability to produce payment voucher for monies paid out, non-availability of revenue receipts, loss of public funds, irregularity in stores accounts, irregular payments and inflated contracts; non retirement of imprest advances as well as non-refund of personal advances collected by some Local Governments on behalf of other agencies.

To be precise, the following amount could not be accounted for; seven million Naira for payment vouchers, one million naira was paid out and the contractors never touched the work. In fact, the auditor’s report revealed that a total sum of nine million naira was outstanding as personal advances against Local Government officials. It was found that five million naira was deducted under various headings such as PAYE, trade unions, but never paid to the respective agencies.

The above explanations are ample evidences of financial recklessness in the Local Governments in Nigeria.

The following table illustrates the summary of the myriads of petitions against Local Government Functionaries in Nigeria as revealed by the Ministry of States and Local Government.

Table 1: Summary of Petitions against Local Govt. Functionaries in Nigeria.

S/N	Date	Local Govt.	State	Nature of Allegation
1.	12/3/93	Ezza	Enugu	Gross financial mismanagement
2.	16/3/93	Ahoda	Rivers	Looting of public funds
3.	30/6/93	Sagbama	Rivers	Gross misconduct/mismanagement
4.	7/7/93	Ohauku	Enugu	Reckless management of public funds
5.	2/8/93	Wamakko	Sokoto	Financial impropriety / impeachment
6.	28/9/93	Fufore	Adamawa	Fraud/embezzlement of public funds
7.	6/10/93	Paikoro	Niger	Mismanagement through contract award
8.	7/10/93	Essan N/East	Edo	Financial impropriety
9.	11/10/93	Deknia	Kogi	Fraud and mismanagement
10.	13/10/93	Onitsha North	Anambra	Reckless spending/disposal of L. G. properties
11.	20/12/93	Uzo-Uwani	Enugu	Financial fraud/corrupt leadership
12.	8/2/94	Gummi	Sokoto	Financial mismanagement
13.	14/2/94	Igboeze	Enugu	Funds
14.	7/3/94	Yakurr	C/River	Unfounded allegation of breach of code of conduct of public officers
15.	25/4/94	Mokwa	Niger	Mere observation
16.	10/5/94	Darazo	Bauchi	Misusing of L. G. funds
17.	6/6/94	Ikara	Kaduna	Disregard to laid-down rules and regulations
18.	6/6/94	Sabon Gari	Kaduna	Financial recklessness
19.	14/9/94	Madobi	Kano	Re-illegal payment of ₦1,360,754.5
20.	14/9/94	Egbado North	Ogun	Fraudulent activities
21.	19/9/94	Jega	Kebbi	Serious embezzlement of public funds
22.	24/9/94	Akoko South	Ondo	Siphoning L. G. funds through ghost contracts
23.	27/9/94	Egbado North	Ogun	Mismanagement of funds and abuse of operational guidelines
24.	11/11/94	Maradun	Sokoto	Withdrawal of money after accounts were frozen on the dissolution of L. G.
25.	27/11/94	Rijan	Niger	Misuse / accumulation of wealth using public
26.	31/1/95	Mobba	Borno	Sharing of ₦2.2M between Chairman/Treasurer
27.	31/1/95	Yala	C/River	Financial impropriety
28.	28/2/95	Ladi, Akwanga	Benue	Part of economic relief grant of council workers ₦1.3m was put in chairman's private account
29.	20/4/95	Ikorodu	Lagos	Maladministration: financial impropriety: usurpation of functions: embezzlement of public funds by local Govt. Caretaker Committee Chairman
30.	22/4/95	Ile-Oluji / Okeigbo	Ondo	Diversion of council's internally generated revenue
31.	26/4/95	Nassarawa Eggon, Keffi Wase, Barkin	Plateau	Illegal sale of 8 transit buses of council (former Chairman) – ₦2.7m made through various accounts
32.	28/5/95	Kuje	C/River	Ex-Local Government Chairman alleged theft of council mobile clinic Bus (sold vehicle)
33.	16/8/95	Konshisha	FCT	Fraud: Former DPM inflated number of

				teachers on the payroll to attract more funds from federal govt.
34.	21/8/95	19 L. G. Areas	Enugu	Scandalous mismanagement
35.	28/8/95	Basse and Lana	Kaduna	Suspension of 20 revenue collectors for
36.	27/9/95	Boki	Edo	Allegation of misappropriation of funds maladministration and abuse of office-levelled against caretaker chairman. 8 Local government officials sacked over N17million fraud.

Source: Ministry of States and Local Government, Abuja 1995.

The above table shows unequivocally evidence of recklessness, impropriety, mismanagement, fraud and corruption in some Nigeria Local Governments. This is due to the fact that there is inadequate accountability, transparency and honesty in some of these Local Governments.

The problems relating to accountability of resources, human and financial in the public service is a thing of paramount importance since this has to do with development and proper harnessing of limited resources. It is of crucial significance for public officials to give account of public resources entrusted on them. This is the main reason why accountability is of utmost importance in the public service, in which the Local Government is a subset (Duru *et. al.* 2001).

Despite the fact that Local Government officials are aware of the necessity for ensuring accountability and transparency, several things are done to sidetrack the smooth procedure to allow for transparency in governance. Hence, corruption is prevalent in Local Government.

What are the causes of corruption in Local Governments? The following section highlights the causes.

Causes of Corruption in Public Service in Nigeria.

The following have been identified as being responsible for the monster called corruption in Nigeria's public life. They are: job insecurity, level of real income vis-à-vis galloping inflation, cultural and social expectation in public officers, poverty, social values and value judgement, personal tendencies/nature, political environment, lack of effective penal laws, divided loyalty and/or attitude to work, colonial heritage, unemployment leadership, level of literacy, psychological effects of past panels and tribunals, the economy and so on.

Real Income Vis-À-Vis Level of Inflation

The inflationary trend in the Nigeria economy has assumed a proportion that has made nonsense of every government efforts at increasing the wages of workers – Nigeria had the Adebo and Udoji commissions, the Elongated salary structure and lately recent salary increase made by the incumbent civilian administration headed by President Olusegun Obasanjo. Regardless of all these, a Nigerian worker is not out of the woods in terms of his purchasing power. It has therefore, become a game of “if you cannot beat them, join them”, since self-preservation and perpetuation are natural tendencies of man.

Job Security

Every successive Government in Nigeria has engaged in one form of retrenchment and rationalization of workers or the other. For example, the unintended effect of the great purge of the Civil Service in 1975/76 has brought continuous job insecurity for Civil Servants. Job insecurity has therefore tended to dampen the ego of the workers and some felt that a way out is to grab whatever goodies that come their way when their tenure last since their ultimate “reward” would either be dismissal or eventual premature retirement.

Cultural and Social Expectation of Public Officers.

There is no gainsaying the fact that public officers are first and foremost members of their primitive culture with deep-rooted sense of value. What the economists identified as basic

necessities of life: food, clothing and shelter; are so much cherished by the various societies that you really need to have them in abundance before you can attract any respect and recognition. It does not matter how you get the money, you must throw lavish parties at burials, house-warming, birthday parties and other forms of ceremonies. Above all, your house must be a source of attraction in secluded area of the town. These fake status are ingredients of self-esteem and egoism.

All these put together, over-tax the level-headedness of public officers who will be scorned and disclaimed the very moment he fails to meet any of the social expectations above. Those who try to maintain their good names but disregard the above values are usually tagged non-conformists and seriously derided.

As a corollary, public officers who cannot secure job for his younger ones or members of his community are never recognized and they are considered irrelevant. He must strive to wield influence even if it requires bribing his way through. The approach is purely Machiavellian – “the end justifies the means”. After all, the armed robbers and social renegades live wine and dine amongst “friends” and relatives. No village has been said to have sent his son back to the Police for stealing Public money. “People only reacted negatively to instances of known corruption when they thought that the corruption came at their own expense ... communal norms made it fairly easy for corrupt officials to gain sympathy and support by sharing their gains with relatives and making donations to home-towns improvement”.

Poverty

Abraham Maslow’s hierarchy of needs tells us about individual’s needs within the organization. What constitutes one’s needs are socially determined. The urge to meet the societal expectations built into these needs breed corrupt tendencies. An officer in the lower grade whose income is very small, but keeping a family of about seven in number, will not be able to meet up with his own needs not to talk of the other members of the family. He will also like to be known in the society as a Government employee and will like to be recognized in the society. In order to meet this demand, he would either receive bribe or falsify the public records. It has therefore been observed that in order to wipe out corruption in our public life, poverty with its attendant problems has to be eradicated. This is seemingly an herculean task.

Personality or Natural Tendency

Man is said to be acquisitive by nature. Those who have not sufficiently suppressed their innate tendency to take what does not belong to them are likely to fall victim of official corruption either in a give or take syndrome. It is an articulated fact that kleptomaniacs do steal for the fun of it and not with the ultimate desire of any particular benefit.

Political Environment

Politics has been described as the authoritative allocation of values. Harold Laski put it more succinctly as “the decision as to who gets what, how and why”. Since societal demands are unlimited and the resources are themselves limited, it has therefore, been said that if politics is a game of power, it cannot be for the *weak*. Hence the survival of the fittest syndrome makes the political allocation of values very unhealthy and irrational.

Some public officers are either party-card-carrier or had materially benefited from the electioneering-inducement package like bales of cloth, bags of salt and a lot of brown envelopes to mention but few.

Absence of Effective Penal Laws

It has often been said that Nigerians have a flare for verbosity, our constitution is one of the most voluminous in the world yet one of the most ineffective.

Our penal laws for various social offences range from fine to terms of imprisonment and on issue as trivial as drug-pushing, it was death penalty during the Buhari/Idiagbon regime (1983 – 1995). With all these provisions, one wonders why crimes thrive so much in Nigeria.

These laws had been rendered ineffective due to the disposition of the leaders, inept and most corrupt Police Force and the indifference of the society at large. The standard and style of

living of the leadership present a harrowing wide gap between what they call their citizens up to do and what they themselves stand for. The Police is always ready to smuggle out criminals from the cells if he can play ball.

Colonial Heritage

During the colonial period, the sing-song of Nationalists was that “Government job is not your father’s job”. You can then loot the treasury in your care and run to the village to hide. The idea was to quickly cripple the colonialists with a view to accelerating political independence. After independence, the method has boomeranged because attitude die hard. “Public service is nobody’s possession”. It is no longer news that a whole building (particularly the Accounts Section) is set on fire in order to cover some shady deals. Examples abound in Nigerian Telecommunications (NITEL) Building, Federal Ministry of Education, Lagos and the burnt down Federal Polytechnic, Idah. There was the era of Postage dumping. Of all these arson, the taxpayers are the worse for them because money meant or required for other developmental efforts are diverted to renovation efforts.

Level of Literacy

The Late Dr. Tai Solarin has said several times that the illiterate population of the country is on the average of 80%. If we agree that education makes it easier for people to be governed and more difficult to be enslaved, then to be illiterate is a life jail term into slavery. In a mimicking approach Yakubu Mohammed said “these days, blissful ignorance is a virtue”¹⁷ because you will not be bothered by these policy makers “who make policies for the good of poor folks whose welfare is, and has always been the reason why those who go into Government struggle ever so hard to go there and remain there”.

It would not be out of place to note that even the literate members of the society are very apathetic about goings on in Government circle and it is just a question of resignation to fate, perhaps this was why Government decided to set up the Directorate for Mass Mobilization, for Social Justice and Economic Self-Reliance (MAMSER) now National Orientation Agency (NOA) which again has started to face contradictions.

Psychological/Sociological Implications for Panels and Tribunals

Consequent upon the finding of panels of inquiries set up in the past to look into allegations of impropriety on the part of public servants, some of them had been sacked only to be offered new appointment by the same Government or new one. For example, those who were found guilty of impropriety by Justice Belgore Panel of Inquiry into Scania and Leyland Buses Scandals, Cement importation scandal and even Port-congestion in 1975 were later made Ministers during the Second Republic.

The next section highlights the possible solutions to the problems of bureaucratic corruption in Nigeria public service.

Solutions to the Problems of Bureaucratic Corruption in Nigerian Public Service

The solution to the problem of corruption in Nigerian public service lies in a purposeful leadership that can solve the problem of corruption. The masses need to be educated on the evils of corruption.

The National Orientating Agency (NOA) formerly the Mass Mobilization for Development and Social Justice (MAMSER) is laudable but its implementation should be revisited. Rather than trying to mobilize the grassroot, it would have been more appropriate to start mobilizing the elites, re-educate them to change their ways of life. If this is achieved then they will give the grassroot the required leadership.

Although, corruption cannot be totally eradicated but it may be curbed and curtailed and the approach should be to attack it from the source, that the Press should not only report the goings on in the society, but, should be an instrument of positive change to move the society to greater heights and giving of wide publicity to reports on persons found guilty of corruption and other economic crimes. The Journalist should not allow himself to be corrupted by members of the society and the public itself.

Nigeria lacks the resources and manpower needed to effectively monitor corruption activities. It is unlikely that it ever can muster sufficient manpower say to monitor bank deposits, housing constructions, investment in properties, land acquisitions and other forms of conspicuous consumption. The consequence is that people get away with corruption and precedents are set for others to copy. Once an individual has few friends, relatives and colleagues who have made money in a corrupt manner and are seen to be enjoying their loot, the widespread acceptability of corruption as a gainful enterprise becomes inevitable. However, if the monitoring system is effective and chances of being exposed and stigmatized are high, the degree of the prevalence of corruption will tend to diminish.

There is need for members of the public to desist from offering bribes to law enforcement agents and to educate the general public that instead of corrupting public officials, they should embark on their civic responsibilities by helping the security agencies in the performance of their duty.

There is need for a sustained public enlightenment campaign about the rights and duties of all the individuals under the law.

Persons convicted of corruption or other economic crimes should be disqualified from holding public office or participating in politics.

There is the need for the Government to review our penal laws, so that the inquisitorial method of enquiring can be used for corruption and other economic crimes. Stiffer penalties should be prescribed for this category of offences, particularly when perpetrated by persons within higher socio-economic strata of the society. The penalties should be mainly in the form of forfeiture, restitution, confiscation, compensation and the imposition of fines and sentences of stiffer levels where the offences are related to corruption and economic crimes.

The setting up of special independent commission agencies on corruption is a welcome development. The Code of Conduct Bureau and the Public Complaints Commission should equally be fortified since these two bodies can assist in adequately containing the situation.

There is an urgent need to equip, train and refrain the members of the security agencies to enable them perform their duties more effectively.

Frauds succeed in financial institution in Nigeria because of staff infidelity and collusion, ineffective controls, weak checking systems, carelessness and lack of attention to details by the staff. There is, therefore, a need to continuously revise and strengthen the systems, to engage in staff training education and to encourage officials by giving them motivation where necessary.

Nigeria legal and judicial systems should assume a topmost urgency in the disposal of cases. The courts are to be accepted as the final arbiter in the determination of cases, and the judiciary must be evidently and transparently free of corruption. The judiciary must be backed by an efficient legal system.

There should be periodic review and reform of the existing laws with a view to eliminating some procedural technicalities as this is desirable; and greater emphasis should be placed on enforcement.

Greater emphasis should be placed on corruption prevention and detection.

Leaders of the various religions should assist in curtailing corruption as there is a need for moral regeneration amongst the populace. They should co-operate with schools and institutions of learning to establish and intensify religious and moral education and should avoid the unnecessary flattery of corrupt leaders and rich members of the society in their sermons or places of worship.

The crime of smuggling thrives because many Nigerians regard "Smuggling" as a form of "business" and not a crime, hence successful smugglers are not socially ostracized but well accepted.

Low morale among some enforcement agencies arising from poor salary structure, harsh working conditions, inadequate facilities and lack of adequate residential accommodation which at times compel enforcement agencies to live in the houses owned by smugglers are also contributory factors.

A prevention of Bribery Act should be enacted by the National Assembly to provide *inter alia* as follows, "Any person who being or having been a public servant;

- (i) maintains a standard of living above that which is commensurate with his present or past official emolument or
- (ii) is in control of pecuniary resources of property disproportionate to his present or past emoluments, shall, unless he gives a satisfactory explanation to the court as to how he was able to maintain such a standard of living or how such pecuniary resources or property came under his control, be guilty of an offence (Olowu 1983)".

Conclusion

In relation to the causes of bureaucratic corruption in Nigeria, if the possible remedies are executed, as analyzed, the rate of corruption would be reduced drastically in the country.

With regard to Local Government in Nigeria, the following suggestions are proffered:

Firstly, the reward system of the elected Local Government officials need to be looked into with a view to making it less attractive; so that evil minded politicians are not elected into Public office. Equally important is the need to sanitize the employment culture not only at the Local Government level but at all strata of our public life. A situation where the 'best' candidates are not employed into the service because of artificial problems will create problems for the Local Government Service in Nigeria.

Secondly, the Constitution of the Federal Republic of Nigeria need be amended or reviewed to reflect the importance attached to the Local Government as the third tier of Government in the Country. Excessive detailed control of the Local Government by the politicians inevitably spells disastrous consequence for the system. Furthermore, there is the need to revert to the former practice where Secretary to Local Government is picked from the crop of Administrative Officers who are highly experienced. In the same vein, the Career Office Secretary should be made the Accounting Officer while the Chairman of the Local Government should be the Chief Executive. One will serve as check on the other. By this, corruption and other attendant vices would be minimized.

Thirdly, all the existing control mechanism, institution and norms aimed at curtailing corruption, fraud, abuse of office need be reviewed in line with modern development in democracies. For example, the Secrecy Acts was inherited from our former Colonial masters; it appears it had outlived its usefulness. The office of the Auditor-General for Local Government should be decentralized so that it could play its assigned roles better.

Having said that corruption is not exclusive to the Public Service and/or Local Government in Nigeria, it has been repeatedly maintained by scholars that corruption is an inevitable consequence of capitalism in a developing economy like ours. In spite of the above contention, corruption in whatever shape or form is not good. Therefore, it should be attacked and completely removed from our system. What is urgently needed in Nigeria is the growth and development of a culture that will inculcate right sense of values. This, it is hoped will produce a moral climate in which corruption will find it difficult to survive.

It is apposite to conclude this piece with the contention of Adebayo (1986), which says:

the greatest antidote in finding solutions to the problem of bribery and corruption is education. We need a great expansion of education before the controls of democracy could work effectively on corruption. An underrated electorate hinders the automatic control of corruption because people tend to believe anything their political heroes tell them and they believe anything their favourite newspapers print. The more rapidly education spreads, the more quickly will bureaucratic corruption diminish, provided that means more than the ability to read and write. ... Thus there is the need for the growth of pressure group, responsible political parties, political journalism and growth of the professional class which is capable of changing the Nigerian public life from the state of general laxity and corruption to a honest public service¹⁸.

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ETHICAL INDECORUM: THE BANE OF A CORRUPTION-FREE NIGERIA

A.M. OLADOYIN

Introduction

Ethical indecorum is a major snag in the development course of Nigeria. It manifests in the form of indiscipline, malfeasance, non-accountability, non-transparency, irresponsibility, disloyalty etc. The phenomenon called ethical indecorum has generally manifested in the generic concept called ‘corruption’, which as a menace is socially vicious, politically criminal and economically crippling. Its manifestation epitomizes the perversion of all that is right, proper and legal. Vast review of literature on the subject reveals profound pessimism about its future. Envisioning therefore a corruption – free Nigeria can only be either one of contradiction or relative optimism.

Past and present governments of Nigeria have largely attributed the country’s governance failure to ethical indecorum on the part political office holders and senior civil servants such as Directors, Permanent Secretaries, Accountants, Treasurers and other professionals in public establishments. These officers are assumed to be Icons of authority and reverence in their respective callings and professions but rather than live up to public expectations, they often falter and compromise the powers of their offices for personal and pecuniary gains.

This short paper attempts to analyze the constituents of ethical indecorum and align with those who share relative optimism as against of utter pessimism–cum–skepticism with regard to the possibility of a corruption-free Nigeria. The associated issues will be examined and discussed under six sections.

- Theoretical Considerations
- Forms and Causes of Corruption
- Government Efforts at Curbing Corruption
- Assessing Corruption in Public Institutions in the Nigeria of Today
- The Need for Ethical Decorum
- Concluding Remarks
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1. Theoretical Considerations

The term corruption derives from a latin verb to break, *rumpere* – meaning something is badly broken (Tanzi, 1994; Hope and Chikulo 2000: 18). The verb to break could refer in this instance to an ethical code or administrative rule or regulation. Furthermore, the breaker of this code is likely to have been motivated by personal tangible benefits for either himself, his family, tribe, party or group, defying the injury or consequences such action might have on public good.

Corruption can also be defined as misuse of public power for private gain. Corruption according to Alatas (1990:1) ‘is the abuse of trust in the interest of private gain’. Corruption is deviant behavior having to do with private gain at public expense. The act is more notorious when a public office holder bestowed with public trust and resources sees his office as a convenient opportunity to derive personal gains from such practices as bribery, rent-seeking, forgery, impersonation, falsification of records, misappropriation of public resources and such other related acts. In such situations, the public office holder regards public office as market.

The two theories explain the behavior of the public office holder described above and this is the **Theory of the Market** “where office bearers regard the office as a business through which they must maximize their income. Thus, the office is the maximizing unit and the size of

the income is directly dependent on the market situation and the talents for finding the points of maximal gain.” (Osei-Hwedie and Osei-Hwedie, 2000:42 and cf. Heidenheimer, 1977).

Three major theories explain governmental corruption and these theories are credited to Wilson (1977:386-387). They are stated paraphrased as follows:

- i. Any political system that does not extol the ethical values of probity, transparency, accountability, personal efficiency but rather extols favours, individual loyalty and private gain will inevitably breed and promote corruption. The underlying assumption here is that the less privileged may require welfare attention and help, not justice. Embedded in this theory are values that generate unavoidable demands for favouritism, hence corruption.
- ii. Corruption also derives from processes or situations of unusual temptation which confront ordinary people. In this scenario, corruption is seen as a consequence of a social system that rewards persons in political position with power, fame and riches as against the result of defect in character or cultural values. The assumption underlying this theory is that public office holders are like any other human being susceptible to corrupt practices as long as there is no formidable institution or person to check him or her. Moreover, since the act is system-wide, he is not expected to be honest when everyone else is stealing.
- iii. There is also the theory that government is made up such that governmental activities and corruption are inseparable. Politics in this sense employs strategies for political conveniences that entail corruption. For example the strategy of lobbying, public relations and selective negotiations with some groups (trade unions, companies or international organizations) are nothing other than corruption related strategies.

The foregoing shows that corruption stands for anything that is not right; anything that violates the obligation that public agents have to their principals; or any transaction that are against the law of the land. From this point, it is important to progress to examine in a fair detail the various forms and causes of corruption.

2. **Forms and Causes of Corruption**

The forms of corruption are difficult to classify because different scholars adopt different classifications. However, in this paper corruption shall be classified into five major forms (Cooksey, Mullei, Mwabu, 2001: 43-44).

- i. Petty Corruption
- ii. Systemic (routine) Corruption
- iii. Lootocracy
- iv. Grand or Wholesale Corruption
- v. Political or Bureaucratic Corruption

i. Petty Corruption

Petty corruption refers to all practices such as extortion, collusion between citizens and public officials. Petty corruption is committed when state officials bend rules in favour of friends. Those who commit the corruption are usually middle or low level officials. In most cases, they do it to compensate for insufficient salary. For example policemen at check points extorting small money from commercial drivers, gatemen in public institutions extorting money from car owners, clerks extorting money from members of the public seeking service. Petty corruption systematically taxes the informal sector. The unfortunate thing about petty corruption is that the ordinary citizens really have no power to defend themselves against petty corruption when they come in interaction with state officials.

ii. Systemic (routine) Corruption

Systemic corruption is the pervasive form of corruption in public office where public officials wantonly accept bribes or gifts from the public when they exercise favouritism in official appointment and contract awarding. It is entrenched when wrongdoing is taking to be the norm and standard accepted behavior. It differs from petty corruption in that participants are made to see the corruption as the acceptable way or norm. Uncooperating citizens who try to stick to the normal norms are punished. This form of corruption is common where bribery on a large scale is regularly experienced.

iii. Lootocracy

Lootocracy refers to government-by-looting of state treasury. It occurs when officials are charged with public responsibilities and trust steal public assets. It can involve embezzlement of public funds when huge public funds and other public properties like cars, furniture, office equipments are carted away from government or state corporation treasuries with the aid of tricks or advances to themselves that are never repaid (draw pay of fictitious “ghost” workers). Lootocracy is prominent among the senior levels of the bureaucracy. During auctioning of state assets for example senior state officials favour themselves friends and family members in the allocation of public assets. A good example was when senior state officials bought land in Abuja and properties in 1004 area of Lagos at ridiculous prices.

iv. Grand or Wholesale Corruption

This occurs when politicians and senior bureaucrats as well as private sector cooperation collude in sharing profits accruing from bribes and business transaction. This form of corruption involves huge amounts of money running to millions or billions of Naira. It thrives among senior bureaucrats and politicians as well as prominent business men during auctioning, privatizing or allocating public assets.

v. Political or Bureaucratic Corruption

Political corruption involves violation of election laws, use of political power to bend rules for private gains or to favour relations and friends. It may take the form of patronage in the award of contract or the establishment of patrimonial ties with foreign multinationals or powers to siphon state resources from which they get their own cuts. It flourishes where power is highly centralized in a patron base political system. Bureaucratic corruption is related to corruption that takes place among senior career officials in the state bureaucracies. This form of corruption is usually perpetrated in conjunction or collusion with political office holders. Nowadays the line demarcation between political and bureaucratic corruption has thinned out as the status of prominent career officials has politicized. For example, the position of a permanent secretary has been politicized; that of the Vice Chancellor has been politicized; that of the Director General, Chief Executive of Parastatals, Agencies and Government Companies, Permanent Secretary, Executive Secretary (e.g. NUC) Auditor General of the Federation, Director General have all been politicized.

Causes of Corruption

The following are the salient causes of corruption regardless of its form. The analysis given by Osie-Hwedie and Osie-Hwedie aptly captures in a comprehensive manner the causes of corruption. The analysis shows that corruption may be caused by any of the following:

1. Political factors, including patronage, patron-client relationships, unequal access to public resources, abuse and misuse of office and political position, and administrative quagmire;
2. Economic factors including the worsening situation of poverty and the desire to be wealthy, and the mismatch between expectations and available resources;

3. Social factors including the cultural basis of socioeconomic and political organizations, pressures from the extended family and friends, and the lack of distinction between personal and private property. (Osei-Hwedie and Osei-Hwedie, 2000:41)
4. Another cause may have to do with “the uncertainties of politics and the absence of insurance schemes to provide for their future when they fall out of office” (Wamalwa 1993:44).
5. The attitude of some politicians who see themselves as the ultimate source of solution to the crises of the country portends danger to a corruption free nation. As we all know that power corrupts and absolute power corrupts absolutely, those politicians who stay too long in office may abuse the power of that office.

3. **Government Efforts at Curbing Corruption**

Every successive government particularly from the time of General Murtala Muhammed had made serious effort at addressing problem of corruption in the Nigerian State. Various reforms have been set up. Specialized Agencies and Commissions have also been established.

Despite the fact that corruption was one of the reasons given by the military for overthrowing the first civilian government (1960-6), the succeeding military regimes of General J.T.U. Aguiyi-Ironsi and General Yakubu Gowon did nothing to combat corruption. In fact, the Gowon regime itself was seen to be very corrupt. Corruption was one of the reasons given by the coup plotters who flushed him out of power in July 1975. The successor military regime (initially led by General Murtala Muhammed and, following his assassination, by General Olusegun Obasanjo) was, thus, the first actually to make a visible effort to combat corruption. This entailed investigating the sources of wealth of the overthrown regime’s state governors. Of the 12 governors in post at that time, only two were found not guilty of using their positions to acquire wealth illegally. Those civilian governors who were found guilty were forced to forfeit their illegally acquired wealth to the Nigerian state while the military ones were also dismissed from the armed forces.

A second major effort at combating corruption was a mass purge of about 11000 public officers on the grounds of corruption, misappropriation of public funds, divided loyalty, abuse of office, and so on. Though the exercise later degenerated into a witch-hunt, the government to a large extent succeeded in sanitizing the use of public funds and the management of public affairs. The regime also established some anti-corruption agencies before they left office in 1979. The details regarding the agencies established are discussed later.

The successor civilian government of President Shehu Shagari (1979-3), in response to the popular mood and the record of its military predecessor, launched an ethical revolution, which only existed in the pages of the policy document of the revolution, as unbridled corruption soon became synonymous with the regime. It was no surprise, therefore, that the military intervened again on the last day of 1983 to overthrow Shagari’s government (Falola and Ihonvbere, 1985; Osala, 1996). The military government of General Muhammadu Buhari (1984-85) immediately launched a programme tagged ‘War Against Indiscipline’ to, among other things, combat corruption. In fact, the programme was aimed at bringing some sanity into the every day behavior of Nigerians and, to a large extent, the regime recorded remarkable success in making Nigerians more disciplined in both their private and public lives.

As part of its crusade, a special military tribunal was set up to recover public properties from the erstwhile politicians and those found guilty were usually handed stiff prison sentences. Some politicians were actually sent to prison for periods longer than the normal life-span of a human being. No sooner had Nigerians started blending towards the new disciplinary order than the regime was over-thrown in 1985 by its Chief of Army Staff, General Ibrahim Babangida, on the grounds that the regime was too rigid, uncompromising and highhanded. As Babangida gradually consolidated his powers as a military programme and, by design or default, presided over the most corrupt regime that Nigeria has ever had.

The administration of General Ibrahim Babangida did not have a specific popular programme for combating corruption. During this regime, the highest incidence of corruption was recorded. As Lewis (1994:330) has observed: 'Corruption has long been endemic to Nigerian politics, but the levels of malfeasance in the waning years of the Babangida regime eclipsed those of preceding governments'. The regime even facilitated corruption in the private sector. For instance, it was during this regime that various decrees (No. 49 of 1991; No. 70 of 1992; and No. 24 of 1993) were promulgated which directed that various properties earlier seized from past government officials be returned (*African Concord*, 7th March 1994:29). The obvious reason for this benevolent act was to lure the beneficiaries into supporting him to extend his tenure in office.

After the exit of Babangida in August 1993, an interim national government headed by Chief Ernest Shonekan took over. However, Shonekan's tenure was too short for him to make any credible contribution towards combating corruption other than to forward a proposal to the National Assembly. To his credit, Shonekan acknowledged the prevalence of corruption in government, but his intentions never translated into visible action. The administration of General Sani Abacha, who came into power through a palace coup in 1994, made some efforts to curb corruption. The most popular programme credited to the General is the 'War Against Indiscipline and Corruption' (WAIC). He had also reconstituted the National Orientation Agency (NOA) and many probe panels were set up to investigate several government agencies and parastatals, for example, Nigerian Customs, Nigeria Airways, and Nigeria Telecommunications (NITEL). The activities of the 'Failed Banks Tribunal' are also credited to the Abacha administration. Nevertheless, the administration's crusade against corruption is not seen as credible because some members of the Cabinet have been indicted by some probe panels in the past. In addition, top government functionaries did not declare their assets as required by the Code of Conduct Bureau (CCB). All of these lapses tend to cast aspersion on the integrity of the government and thus diminish its legitimacy.

Apart from the popular programmes with which specific regimes are associated, we also examine below some specialized institutional strategies as well as *ad hoc* bodies that have been put in place by various Nigerian governments to fight corruption.

Code of Conduct Bureau

The Code of Conduct Bureau (CCB) emanated from the popular reform of 1974. It was entrenched in the 1979 constitution in a clear and explicit form. The 1989 constitution also contains the same code but with some amendments. The code of conduct stipulates, among other things, the following:

1. Public officials should not conflict their private interest with public duty.
2. They should not engage in any other employment outside of their civil service responsibilities.
3. They should live within their income.
4. They must not belong to any secret society.
5. They must not operate foreign accounts.
6. They must not take public loans and should not sell or acquire government properties.
7. They must not take or demand gifts from any person or financial institution in exchange for public service.
8. After retirement, they cannot take up more than one public sector job.
9. They must declare their assets immediately after they assume office, after every four years, and at the end of their terms of office.

The content of the code is, no doubt, lofty and commendable but the extent to which public officials accepted it in good faith is debatable. The code seemed to be merely cosmetic. During the Second Republic, for example, only the President and his deputy declared their assets. Members of the present military junta did not declare their assets. How then do we judge these regimes as serving the public? Perhaps the better judgement would be to say that they are serving themselves.

Code of Conduct Tribunal

This body is saddled with the responsibility of adjudicating on matters arising from the CCB and, in difficult cases, the file appeals to the Federal High Courts. The unfortunate thing about this body also is that there was never a time, even during the Second Republic, when the Code of CCB gained prominence. The crises of corruption that rocked the CCB itself adversely affected its legitimacy.

Public Complaints Commission (PCC)

This commission is a constitutional body established in 1975 and charged with the responsibility of looking into complaints concerned with the administrative activities of public officials or private agencies which the citizens consider to be irregular, unlawful, oppressive, unfair and inordinate in motivation. The Commission maintains offices at federal, state and local levels. However, the Commission is limited in responsibility in view of several exemptions to its scope. In the final analysis its success is confined to petty cases. Its performance is also limited because it does not have police powers of its own (Olowu, 1993).

Public Accounts Committee (PAC)

The Public Accounts Committee (PAC) was established to provide assistance to the legislative arm of the government by performing oversight functions over all executive offices in relation to the expenditure of public funds. When the Auditor General submits his annual report and comments on government accounts to the legislature, it is the function of the PAC to scrutinize and vet the submission.

Since PACs only thrive effectively in democratic regimes, there have been problems regarding its efficiency in the governance of Nigeria. During military regimes, it is usually the first committee to be suspended. Similarly, during corrupt civilian regimes, the committee is usually neglected. Nevertheless, records indicate that between 1966 and 1979, which was dominated by the military, the committee convened a few times. About four months prior to General Obasanjo's departure from office, he reconstituted the PAC which speedily considered all outstanding accounts of ministries, departments and parastatals for the past 13 years. One wonders what level of thoroughness such an exercise entailed.

However, the Babangida administration gave some teeth to the PAC when it promulgated Degree No. 7 of 1987 where it is stated that the PAC has constitutional powers to examine federal government accounts and accounts of its parastatals. The take-off of the committee sparked off chains of resentment, disaffection, and outright crimes. For instance, some documents and buildings were deliberately set on fire to cover up fraud.

Quasi-Judicial Bodies

The use of quasi-judicial bodies has been a popular strategy which several regimes have adopted. Such bodies are used on an *ad hoc* basis to handle cases swiftly and secure judgement within a specified time frame. The emphasis is on speed, avoidance of legal technicalities, and results. A good illustration would be the Special Military Tribunal which some regimes have used in trying cases of corruption and where the evidence used is not likely to be admissible before a normal court.

Two major problems are identifiable with regard to this approach. The first is that such quasi-judicial bodies are prone to abuse by the regime which established them. When this happens, people tend to lose confidence in such bodies and this leads to the second problem, that since the bodies are not institutionalized, there is a tendency for their verdicts to be overturned by the regular courts, especially when a military regime leaves office and a democratic government is installed. This is seen in the fact that virtually all the persons jailed by previous military regimes, on the grounds of corruption, are free men today and some of them even became members of successor governments.

Independent Corrupt Practices and other related offences Commission (ICPC) & Economic and Financial Crimes Commission (EFCC)

ICPC and EFCC are commissions that were specifically established to combat corruption. The commission directed its operations against fraudsters, and indeed recorded a huge success. While ICPC was a product of Obasanjo's first term, the Economic and Financial Crimes Commission came during his second term in office. The reason generally adduced for the statutory duplication of anti-corruption crusade which led to the establishment of EFCC was that the level of bureaucracy needed for prosecution of corruption cases under the ICPC is cumbersome, whereas the EFCC can easily circumvent such bureaucracy. The headship of the two institutions is another contentious issue. While the ICPC was headed by a retired senior judge the EFCC was headed by a serving senior police officer.

4. Assessing Corruption in Public Institutions in the Nigeria of Today

From the foregoing, it can be safely affirmed that corruption is still very much with us in Nigeria. Even though the rating by Transparency International (TI) shows an improvement in Nigeria's disposition to corruption, the position is not still good enough. Nigeria presently occupies 59th position out of 180 most corrupt nations. According to Adamolekun (2008:28), "it is incontrovertible that EFCC under Nuhu Ribadu (2003-2007) took the fight against corruption to a high level with some impressive results: the recovery of about \$5billion from financial criminals and rogue public officials and the conviction of over 120 offenders, including a former Inspector General of Police and a former state governor." The table below aptly shows the trend of the position Nigeria in the group of corrupt nations.

Table: Nigeria's Score on the Corruption Perception Index (CPI) 1996-2008

Year	CPI Score	Nigeria's	Remarks
1996	0.69	54/54	Most corrupt
1997	1.78	52/52	Most corrupt
1998	1.9	81/85	2 nd most corrupt
1999	1.6	98/99	2 nd most corrupt
2000	1.2	90/90	Most corrupt
2001	1.0	90/91	2 nd most corrupt
2002	1.6	101/102	2 nd most corrupt
2003	1.4	132/133	2 nd most corrupt
2004	1.6	144/146	2 nd most corrupt
2005	1.9	152/159	3 rd most corrupt
2006	2.0	142/163	5 th most corrupt
2007	2.2	147/180	9 th most corrupt
2008	2.7	121/180	59 th most corrupt

L. Adamolekun, 2008:27 (based on data extracted from the website of Transparency International)

Nigeria's Human Development Index (HDI) and Ranking between 1990 and 2007 has also shown signs of improvement the table below attests to this fact. The reading of the HDI will be such that the higher the number the better the result. The total value of HDI stands between 0-5 and any value below 0.5 would be taking to represent low development while from 0.5 and above will be taking to represent high development.

Table 2: Nigeria’s Human Development Index and Ranking – Selected Years between 1990 and 2007

Year	HDI	Ranking
1990	0.43	112/134
1995	0.45	118/144
1998	0.44	151/174
2000	0.46	N/A
2002	0.46	125/151
2004	0.45	159/177
2006	0.45	159/177
2007	0.47	158/177

L. Adamolekun, 2008:33 (*The Governors and the Governed: towards improved accountability for achieving good development performance*, Ibadan: Spectrum Books Limited)

The huge number of cases of corruption and other related offences in the court of law; with ICPC and EFCC as well as reports in newspapers and magazines about political systemic and bureaucratic corruption, all confirm the seriousness of the phenomenon of corruption in Nigeria. Moreover, the ostensible revelation of serving senior bureaucrats and politicians leaving above their income calls for interrogation. These officials cannot pretend that people in their respective communities do not have access to their statutory incomes. Within one year in public office, these officials gathered so much wealth that if the Code of Conduct bureau were to investigate them, they would never be extricated from corrupt practices. In spite of the good effort of ICPC and EFCC, fresh cases of corruption keep emerging. For instance, the erstwhile Chairman of EFCC, Mr. Nuhu Ribadu, is currently at large after having been indicted for corrupt practices while in office. Similarly, Dr. (Mrs.) Dora Akuyili, the former Chairperson of National Drug Law Enforcement Agency (NAFDAC) and current Minister of Information was indicted of corruption by unscrupulously acquiring a property at 1004 in Lagos. The former Governor of the Central Bank of Nigeria, Professor Charles Soludo, who was seen to be sanitizing the banking and other financial systems, was later fingered to be involved in the complicity of embezzlement and sharp practices in some commercial banks. The former Director-General of the Board of Public Enterprises in Nigeria, a body responsible for disposing, commercializing and privatizing public enterprises, as it may be, is also currently being indicted for corruption-related cases, which he allegedly perpetuated while in office. He is also large. He however claims to be enjoying political asylum accorded him as a student of Law in one university in the United State of America.

5. The Need for Ethical Decorum

Ethical decorum is a situation of ethical sanity, where political and career officers live/abide by the rules and regulations guiding official conduct. In such situation, the public officer puts the public concern above his own desires. On the other hand, ethical indecorum is another way of describing corruption. It refers to improper conduct or comportment in the ‘face’ of standard behavior. It could also mean a deliberate violation of what is generally taken as right conduct. It is therefore apposite at this juncture to be acquainted with some key ethics for political and career officers in government establishments.

- **Integrity:** This is all about moral excellence. An officer with integrity matches his words with action. He does not lie; he does not bend rules for the benefits of relatives or friends or pecuniary gains. He faithfully follows rules and procedures and charges his subordinates to do so. This officer places a very high value on his name and would not allow anything to tarnish it. He is content with what he legitimately earns.
- **Public Accountability:** For the political officer, this goes with the expectation that public office is like an agency, and the public officer, an agent, who must render account of his stewardship to the owners, which in this case are the electorates. Herein lies the principle of sovereignty and representative democracy. Where public accountability holds, corruption is

an anathema. **Bureaucratic accountability** derives from the principle of hierarchy. Every officer is answerable to the officer directly above him. This prevents insubordination and arbitrariness. It reinforces the principles of unity of purpose and unity of direction. Answerability is the underlying factor here.

- **Transparency:** this is a moral virtue that stresses openness in the conduct of public business. The political and career officer is expected to operate based on sincerity of purpose, truthfulness, faithfulness and honesty.
- **Responsibility:** This is about the preparedness to serve with heart and might as the national anthem demands. It does not permit laziness at all. It also requires that the officer can be relied upon based on professional competence, moral pedigree, and rare sacrifice.
- **Non-maleficence/Fairness:** Some officers use their office to oppress people. This is not proper. Public officers are expected to be fair to all without inflicting physical injury on subordinates or members of the public.
- **Discipline:** Every public officer is expected to exhibit high level of self-comportment and discipline. They are expected to exhibit discipline in their language, official duties, financial transactions and in their interaction with members of the public. They are expected to relate with everybody in the work environment with courtesy and respect. They are not to divulge confidential information to forbidden sources.
- **Loyalty/patriotism:** Public official must be loyal to their organization and bosses. Political and career officers on the other hand must be patriotic. They must not be sectional or tribalistic. They must think well; say well; and act well so that Nigeria can go well. Like an average American, public officers must set precedents by professing that – God bless Nigeria.
- **Responsiveness to public interests/needs:** Good governance is concerned with prompt response to the welfare, security and social needs of the people. Therefore, public officials must not be plastic to the concerns, worries and aspirations of the people. Senior civil servants must employ dynamic and transformatory leadership and conflict resolution approach to delicate and burning issues in their institutions.

6. Concluding Remarks

Having considered the various challenges and possibilities of corruption and corruption-free Nigeria respectively as well as the several attempts by successive governments, to combat corruption in Nigeria, it must be admitted that all hope is not lost. In fact, corruption can become an anathema in the country's political history if the following occur:

- A transparent and honest leadership class emerges;
- Institutional mechanism that would enable citizens to expose public officials who are corrupt, without any fear of persecution is put in place;
- Credible election and legitimate rule/governance is guaranteed;
- Accountability institutions strengthened;
- Poverty exterminated from the social and economic system of the nation;
- Productive activities encouraged in all sectors.

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RECONSTRUCTING A FAILED STATE: A CASE OF NIGERIA

O.O. ADEYEMI and G. I. OBETOH

Abstract

The notion of reconstructing failed State is an importance issue in Nigerian political system. A failed state hatches violence, it breeds warlords and militias. Nigerian states has loose its authority to command the monopoly of violence. Its laws and statutes are objects of scorn and derision, individual lose their sense of security as fear of violent death persists in every come and facet of life. These were individual who under the theoretic term of the social contract gave their right and power so that the state can accumulate and exercise a monopoly of violence for social good. In much of the developing world, and particularly in Africa, state are still controversial because the State in Africa are really product of 19th century contest between European powers carved out with no regard for those inhabitants of the region. For reconstructing of failed state to work in Nigeria, these colonial creation States like Nigeria must convene a Sovereign National Conference as to decide whether they want to federate into federal union.

Introduction

The World Bank, assessment listed Nigeria among the fragile state that risk collapsed. These States are known by World Bank parlance as Low Income Countries Under Stress (LICUS) they are laden with multiplicity of chronic problems, which pose some of the toughest development challenges. These countries according to World Bank are characterized by the some dysfunctional constraints and embroiled in extended internal conflict; struggling through tenuous post-conflict transitions, faced with weak security situation, fractured societal relations, corruption, breakdown in rule of law and lack of mechanisms for generating legitimate power and authority.

On 23rd of December 2006 a car-bomb exploded in the Nigerian southern city of Port Harcourt, bringing down parts of the fencing of government house. The Associated Press Report claimed MEND- The Movement for the Emancipation of the Niger Delta was responsible for the bombing. This importation of militia tactics into the Niger Delta agitation by MEND marks a new trend in decadent of Nigeria socio – political system. This is testament to a notion of a failed state.

Instances of drastic denigration of human life abound in Nigeria. Armed bandits and hire assassin are now ruling the waves and determining who has the right to life or death.

Thisday's Journalist, Godwin Agbroko, was murdered in cold blood and no suspect was fingered or arrested. The former Attorney General of Federation; Mr. Bola Ige, was murdered at his residence in Ibadan, Ayodeji Daramola was murdered in Ekiti State, Funsho Williams was murdered in Lagos State and Nigerian Police Force is yet to fish out the killers of this prominent Nigerians.

The Police on the other hand, are yet to rise up to challenges instead hundreds of innocent Nigerians are still being killed and tortured yearly by the Nigerian Police in a very degrading and shameful manner. The killing of six young Igbo trader at Apo village in Abuja in June 2005 by a Police Officer revealed that Nigerian Police Force is the worse culprit that needs urgent reformation. The Police Force has since abandoned their duty of custodians of law and order; they are now a full-blown corrupt vestige of the government in power. And these and other factors attest to the notion that Nigeria is a failed State

The Making of Nigeria: the Berlin Conference

Nigerian State originated from the scramble of Africa at Berlin Conference in 1885. The scramble was a physical and diplomatic contest among European nations, particularly Britain, France, Germany, Belgium, Spain and Portugal to secure as much as territories as possible in Africa. The European nations decided to partition the entire Africa continent among themselves because of the economic, political and social forces at work in Europe during the second half of 19th century.

According to Chukwu (2002:34) the Berlin conference produced a stimulus that gave Britain the fillip to fight for the acquisition of the rest of the Niger territory, with the clause "Effective Occupation" provided in the conference decision, coupled with the inability of the Goldie's Royal Niger Company to control the interior effectively. It became obvious that the British government would directly be involved in the control or loose the area to other competing European power like France. Indeed, following the conference on June 5, 1885, Nigeria areas was incorporated into British Colonial Empire (Chukwu 2004:34).

The Evolution of Nigerian State

The concept of Nigerian state as we know it today is a British creation, British penetration into Nigeria began from the annexation of Lagos in 1861, on the ground of stopping the slave trade and ended up with the seizure of what is today Nigeria by 1960's after her independence. Following the defeat of one part of the country after one another, the penetration of Nigeria by the British took three different forms.

There was penetration through Lagos which was extended to other Yoruba hinterland in order to make an economic gain out of the British control of the area. The occupation of the Southern and Eastern part of Nigeria was undertaken by British office to protect British palm oil traders, who claimed they had treaties with Africans' ruler, conferring on British citizen's freedom to trade in the area. The North was developed and secured for British enterprise through monopolized trade and excluded all rivals, not only from the present Northern States but also from some parts and riverine towns along Niger. By 1900, the British government took over the control of the Northern region from the Goldie's Royal Niger Company and proclaimed it part of protectorate of Northern Nigeria. In the same year, the protectorate of southern Nigeria was proclaimed a crown colony in 1861. The two were subsequently titled colony and protectorate of southern Nigeria.

It is clear that various nationalities were incorporated into Nigeria without their express consent. Lagos was acquired through "Treaty of Cession" Sokoto caliphate through "Consent" and some others in the South of the country a mixture of 'Conquest and Treaties of Friendship'.

The British effort at securing administrative base in the governance of these different nationalities led to the amalgamation of the two protectorates in 1914. On January 1914, the historic amalgamation of the Northern and Southern Nigeria took place on the advice of Fredrick Lugard who himself assumed the position of the Governor General of a newly created Nigeria.

This study holds the view that; these heterogeneous communities that make up Nigeria differ in their language, traditions and religions. Even the pattern of development differs from one community to the other. The British in consequence, toyed with several constitution in a bid to find a way out of welding these multi-ethnic, multi-lingual and multi-national communities together for administrative convenience. The Nigerian federalism had its antecedents in these British sponsor constitution, namely, Clifford constitution of 1922, Arthur Richard Constitution of 1946, Macpherson Constitution of 1951 and Littleton Constitution of 1954. These constitutions served as a prelude to the independence constitution in 1960.

The Conceptual and Theoretical Underpinning of Nigerian State

According to Appadorai (1975:13), the state is a way of regulating human conduct, it orders us not to murder; it punishes us for a violation of its order. It is society in its political aspect.

To Morgenthau (1987:417), a state is synonymous with the compulsory organization of society aimed at the achievement of a monopoly of organized violence for the preservation of peace and order. From the review of all these definitions, a state serves as an institution for

preservation peace and order, a state prevents violence and crisis within the country. To some scholars, they see state as essentially a class structure, an organization of one class dominating over the other class, a machine used by the capitalist to keep the working class under their control.

Nigerian State: the Theoretical Overview

The emergence of Nigerian State can be understood from standpoint of theory of force. The force theory explains that, the state is the result of the subjugation of the weaker by the stronger (Akindele 2000:37). The theory holds that, the origin of the state is a consequence of the strong establishing their way or dominion over the weak, setting them in a specified territory and arrogating to themselves the power of governing.

Jenks, a proponent of this theory posited that, there is not the slightest difficulty in proving that all communities of modern types own their existence to successful warfare. (Akindele, 2000).

However, the convergence of Nigerian state could be traced to force theory. Kolawole (2004:49), argued that, 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, value and belief. Adetoye (2004:342) also noted that, Nigeria could be described as a product of British suzerainty, forcefully forged from varieties of ethnic sub-nationalities. The Nigerian State falls into the category of nation which Thomas Hobbes labeled as “Commonwealth by acquisition”, Nigeria State is a force union. The British amalgamated the Southern and the Northern protectorate in the year 1914 without due consultation with the people of these regions. Nigeria was a British intension to aid economic exportation of their resources.

Nigeria in the Making of a Failed State

Nigeria is a colonial creation. The history of Nigeria according to Kolawole is hardly edifying. It seems as if independence exposed the vices of disunity, political immaturity, leadership incapability and religious intolerance that were cosmetically papered upon during the struggle for independence (Kolawole 2004:50).

The Nigerian State has since independence remained fragile state and therefore it is experiencing a fragile democracy. Fragility have implies the inability to withstand, combat or repel centrifugal and centripetal forces (Kolawole, *op. cit*).

The Nigeria State, given it origin and nature, has never been conducive for good governance. This is because it was a state created by force, domination and imposition rather than by consensus. The creation of a new colonial state means the destruction of the pre-colonial state and the establishment of a new social order with different social, economic, culture and governmental relations (Agagu 2004:65).

This above statement was corroborated by Ayodele (2004:320) when he noted:

The recurrent nature of conflict and violence is intricately linked with the history, process and distortions inherent in state formation in Nigeria traversing the colonial and post colonial periods. The Nigerian nation emerged out of British economic interest. Colonialization brought the foreign super structure that was not compatible with pre-colonial environment.

The Nigerian State according to Ayodele (2004:321) is inherently a violent institution and to that extent, a crisis-generation mechanism, and repression, suppression and intimidation are essential attributes of the post colonial state. The establishment of hegemony, consensus building, dialogue, negotiation, respect for human rights and the rule of law are largely alien to its modus operandi (Egwu 2001:28).

Colonialism laid a poor foundation for the survival of good governance in Nigeria. Not even independence could correct this because of the mode of transition (Agagu 2004:67). However, Onimode (1988:120) explained that the nature of colonial disengagement from most of Africa and the Third World generally ensured that the post-colonial state would become a

neo-colonial state in order to preserve relationships of domination and exploitation. In the same way, Udombana (2003:38) declared that,

Unfortunately when direct colonialism ended, it did not address, let alone resolve, the explosive problem of power sharing... unfortunately departing colonial overloads left the reins of power in the hands of tiny and educated but highly egoistic, conceited and self seeking elite groups who inherited the infrastructures that were designed for economic extraction with no tradition of accountability to the governed.

Political activities heralding independence and even political independence on October 1960 did not engender the harmony of unity. As Ihonvbere (1996:113) observed, political independence did not alter the North-South divide, the appropriation of the political process by the few 'enlightened' elite across the country, religious and regional differences already politicized as well as political tension within and between the regions. The observable situation was that later in the first republic, the political elites of the West could not maintain law and order, while those of the North, could not guarantee the safety and property of individual and the forces of disintegration were going to override the forces of stability and peace (Ihonvbere,ibid:113) Politics during the first republic was thus chaotic and violent. Disappointed by the situation during the first republic, Ihonvbere (1996:114) noted that:

The Politician and the political elite of the first Republic did very little to sow the seeds of democracy, accountability and political responsibility. Rather, they promoted violence, intolerance, criminal corruption, waste, inefficiency, mismanagement, political thuggery and general lack of vision.

Politicians and political elite during the first Republic therefore failed to unite people of the country, or even sow the seed of unity, let alone nurture democracy or even promote development These attributes of a failed state was again reinforce by the phenomenon of protracted military and dictatorship, which drove the Nigerian State to brink of collapsed in instances such as the civil war of 1967-1970, and the annulment of June 12, 1993 presidential election. This and other factors led to collapsed of first Republic with the intervention of military in politics.

The military years which reached its unholy apogee in Sani Abacha destroyed almost all the structures and apparatus of state, conscripting them into the service of tyranny.

Manifestation of Failed State in Nigeria

On Wednesday, 25th May 2005, the United States National Intelligence Council released a long term outlook and assessment of Nigeria, which projected a catastrophic scenario that Nigeria risk collapse in the next 15 years, Olusegun Obasanjo; Nigeria former president dismissed the report as emanating from detractors and prophets of doom. However, in reality, Nigeria State has become such a weak edifice, a failed state unable to perform even ordinary state functions of providing water electricity and fuel (Odekunle, 2000:4).

A failed state hatches violence, it breeds warlords, it loses its authority to command a monopoly of violence. Its laws and statutes are objects of scorn and derision.

Nigeria government has lost the moral authority to be the custodian of the people welfare, since independence Nigeria has been marked by varied crisis such as ethnic, religious, and political conflict, some of these crises will be mentioned in this study. A few of these crises have destroyed the foundation of its unity and corporate existence making Nigeria a failed State.

A perfect example of this could be seen in Nigeria civil war of 1967 – 1970. The war occurred between Nigeria and Biafra. The federal government under Gowon's regime successfully averted the disintegration of the country but with accompanied material and human

cost, the outcome of the civil war had a serious negative consequence. The war claimed an estimated two million lives mostly children and women.

The Nigeria civil war was a total disaster to the entire nation. The ill-effect of the war has produced several ethnic group militias calling for secession from Nigeria. Among them is Movement for Actualization of Biafra (MOSSOB), Odua People Congress (OPC), Bakassi Boys, Ijaw Youth Movement (IYM), Movement for Emancipation of Niger Delta (MEND) and others.

Another major crisis that has rocked the country was Action Group Crisis. The 1964 election crisis marked the watershed in the Nation's political history. The crisis was a Western Regional affair between Chief Obafemi Awolowo and Ladoke Akintola who had been pitched by Intra-party squabbles in Action Group political party (Ajayi 2004). The Balewa regime seized the opportunity to penetrate the West that had earlier seemed impenetrable politically by the central ruling party, the Northern People Party (NPC). The federal government under Balewa's regime which gave its support to the Akintola faction allegedly rigged the election in favour of Akintola who formed an official coalition with the ruling in the centre.

The corrupt victory of Akintola in 1965 angered the majority of the Yorubas. The intellectuals who benefited from Chief Obafemi Awolowo's free education were disillusioned (Ndoh, 2002). At last the masses exploded and went to the street, they drove the parties' representatives from road blocks, destroyed cars and in some cases, petrol was used to burn houses.

The political and electoral manipulation in the region eventually not only sustained the crisis in the region but equally escalated it to a situation of national crisis which eventually became part of the problem that culminated in the first military coup in 1966 which terminated the first republic and later eventually led to the civil war (Ajayi, 2004:279).

While the First Republic collapsed as a result of factors arising from regional intra-party crisis, the second republic too collapsed under not too different situation. Electoral rigging in 1983 elections instigated by do-or-die winning attitude between the ruling party (NPN) on one hand and the other parties notably Unity Party of Nigeria (UPN) and Nigeria People's Party (NNP) on the other hand, caused another military uprising in December 1983. Electoral rigging in opposition states of Ondo, Oyo, Kwara, Imo and Anambra states by the ruling party NPN were met with armed confrontation with resultant killings, arson and destruction of property (Kolawole, 1988:135-143). This continued threats to nation's stability of insecurity of people lives and property provided the reason for the fourth military intervention in the nation's political system.

Another major crisis that has also threatened the existence of Nigerian State was June 12, 1993 crisis. The crisis was as a result of annulment of June 12, general presidential election which was believed to have been won by M.K.O. Abiola. The Babangida military government set up a transitional government headed by Shonekan. This situation generated tension and crisis in Nigeria, most especially in the West where Abiola came from. There was a lot of demonstration and strike action against the action of military government.

The Shonekan's transitional government was sacked by Abacha military government, who later jailed Abiola for declaring himself as a president based on the outcome of June 12, 1993 election.

This situation gave rise to anti-military and pro democracy groups who converged for two major reasons, one, to force the military to de-annul June 12 election, and secondly, to terminate the continued military occupation of the democratic space. Pro democracy such as National Coalition for Democracy (NADECO) and ethnic configuration such as the Odua People Congress (OPC) emerged (Ajayi, 2004). The era of Abacha's government can be described as the "state of nature", a lawless society, many patriotic Nigerians lost their lives and family to Abacha's brutality, prominent among them were Alhaja Kudirat Abiola, the late wife of M.K.O. Abiola who was believed to have been murdered by Abacha killer squad, Pa Rewane George, Ken Saro Wiwa, Shehu Musa Yar'adua among others were killed by Abacha's government. Those who could not be killed were sent to jail among these are Olusegun Obasanjo, Oladipo Diya, Major General Adisa and others.

The anti-military groups embarked on serious destabilization, sabotage and sporadic bomb attack on military installation which brought the country to brink of another civil war in 1997, a situation which was only averted by the sudden death of a Sani Abacha in June 1998.

Besides the civil war and electoral crises era, ethnic war and crisis has been more pronounced since the emergence of fourth republic. Such inter-ethnic crisis between Hausa-Fulani, Igbo or Yoruba ethnic groups in the Northern states of Kanuda, Kano and Zaria and between Yoruba and Hausa-Fulani in Lagos and Sagamu are manifestation of such ethnic crisis, inter-communal conflicts such as the prolonged crisis between Ife and Modakeke communities in Osun State over the relocation of the local government headquarter, Umuleri and Aguleri Igbo Communities, Itsekiri, Ijaw and Urhobo Communities in Warri Delta State, Ijaw and Ilaje Communities Ondo State, Ikare Akoko and Imesi Ekiti in Ondo and Ekiti State, Jukun and Kuteb communities in Taraba State and others. Inter-ethnic struggle over issue of public office and resource sharing take another dimension in the formation of ethnic militia. The youth militias are the military wings of the contending ethnic groups. They are Oodua People Congress (OPC), Arewa Youth Forum (AYF), Bakassi Boys, Egbesi Boys (MEND) Movement for Actualization of Niger Delta, to mention but a few. According to Ajayi (2004), their formation and goals merely re-enforce the primordial ethno political agenda for other ethnic group they represent. However, the activities of these ethnic military formations are diabolical and deleterious to national security and development. They instigate violence and abuse human rights including illegal arrest, detentions, and execution of innocent citizens. They engage security forces in armed confrontations, leading to casualties and destruction of property. According to Ajayi (op. cit), the youth militia gangs incessant confrontation with soldiers since 1995 have turned the Niger Delta region to battle group.

Another attributes of failed state was also reflected in socio-cultural/religious crises. Inter-religious confrontations are other sources of tension and instability in Nigeria political system. Religious extremism and intolerance, in some part of the country, become an extension of inter-ethnic, inter-communal conflicts. However, since the 1981 Mataima religious uprising in Northern Nigeria especially in Kano and Kaduna, the flame of violent inter-religious rivalry is not yet extinguished. Many other religious crises have since taken place in the Northern towns such as Jos, Kafachan, Maiduguri and Zaria. In January 2004, in Yobe State a group of religious extremists labeled as Taliban's released a major hostility on towns and villages in the State with property valued at about ₦200 million destroyed (Abdullahi, 2004:16).

These ethnic and inter-religious crises have resulted in wanton killings, destruction of property including churches and mosques and disturbance of public and national security and refugees flow. These entire stated factors have led to degeneration of Nigerian State.

CONCLUSION

The causes of the crises in Nigeria stem from lack of basic democracy ideals. This has led to a situation in which those who exercise State power abuse the right of those who are excluded from State power.

Nigerian State could function, if it's reconstructed and any attempt at reconstructing Nigeria must go back to the foundation. Nigerians must convene a Sovereign National Conference to decide whether to continue with the existing federate union or go their separate way. Sovereign National Conference should produce the people's constitution which will be the sacred document accommodating all the diverse ethnic groups in the country.

The system of government should be defined from what the people of Nigeria want. Starting with the unitary system that was introduced during the military regime of Aguiyi Ironsi; Nigerians should define what a federal structure might mean for her people, explaining the allocation of powers and resource allocation under this federation. At the end of the conference let the people decided whether they would be comfortable under unitary or federal system. These will ensure peace and security among the six geographical zones of the country that are culturally, religiously and racially different.

Good government can create unity and long standing peace between people, but forced unity begets agony for the people of the State that have been forced together.

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PRINCIPLES AND ETHICS OF PROFESSIONALISM IN NIGERIA LOCAL GOVERNMENT SERVICE: THE CASE OF OSUN STATE

I. O. FAYOMI

Abstract

Professionalism in the Nigerian local government service has been fraught with a great number of disasters among which are: ethical dereliction, bad leadership, political instability, career fear, retirement fear and other associated extraneous limitations. Even though the principles and ethics of the service are there ostensibly, the human factor to appropriate them is not there.

This paper shows in empirical terms the basic tenets of civil service profession as contained in the General Order (G.O) and Financial Memoranda (F.M). It goes on to demonstrate how some officials of some local government in Osun State have fared in the assessment of isolated ethical tenets. Specifically, the major departments and officials of an ideal local government in Nigeria were used to assess the performance and state of professionalism in the service.

The methodology employed derives mainly from personal interview and reporting system. Personal observation and information from relevant secondary sources were all triangulated in the final analysis.

The study discovered among other things that endemic corruption in the macro socio-political environment and general instability as well as un-enabling socio-cultural factors constitute the bane of ethical non-performance in the Nigerian local government service.

The study concludes that except a general overhaul of the Nigerian system is done, the local government services, if isolated can never yield a miracle.

Background Exposition

The local government system in Nigeria has come of age. Before 1997 when the latest reform by Allison Ayida was adopted, the practice was that various local government officials such as Secretaries, Directors of Personnel Management, Treasurers, Auditors, Engineers, Directors of Work, Primary health Care (PHC) Coordinators, Community Development Inspectors, Local Government (LG) Marriage Registrars, Court Registrars, Town Planners, Library Staffers etc. were mostly untrained in their various schedules. Let us take these officers in turn i.e. one after the other without really following the six professional departments in every LG namely, Administration, treasury, works, country development/education, Primary Health Care (PHC), and Agriculture.

The thrust of this paper is that competent staff with relevant proficiency and training in their respective professions should be put in every department but the situation has not exactly been so in the Nigerian LG administration. For this reason the paper is poised unravel the 'why?' for the problem and the efforts made so far in correcting the anomaly.

The Director of Personnel Management

The director of personnel management or career secretary is the head of administration. This officer coordinates both administration and finance of the Local Government Council (LGC). In addition, he supervises other departments and units of the Council and gives reports of their performances to the Chairman, who is the accounting officer of the LGC. He also functions as the secretary to the executive council meeting otherwise known as Finance and General Purpose Committee (F&GPC). Some of these officers rose through the rank without formal training or acquisition of professional qualifications to qualify them for their schedule of duties.

The highest qualification of some of these officers about a decade ago was either advanced diploma in local government or certificates obtained from internally organised training programmes or workshops by the local government service commission or hired consultancy firm and in some cases; through seminars and conferences.

There was a policy sometimes in Osun State that any career officer of the LGC can rise to the position of Council secretary provided such officer is the most senior staff his LGC. This implies that such officers may not be an administrative staff. As at the time the policy was in operation, virtually every department like PHC, Works, Agriculture and Treasury produced secretaries. There were examples treasurers; a town-planner, an environmental health officer etc. who became Council Secretaries.

In a similar vein, Mr. Adegbite (deliberated mutilated anonymity sake) who was until his appointment as a career secretary was a treasurer in one of LGCs. In fact, virtually every cadre was yearning to produce career secretary despite her unsuitable backgrounds and qualifications. Apart from this unprofessional development, LGC service suffered inadequate professionals even where they claimed to exist. This includes information unit, education department, community development unit, and internal audit. Majority of the registry staffs are still in the executive cadre because of their inability to pass one prescribed professional examinations or the other.

The Director of Finance or Treasurer

This is the head of treasury department who keeps financial records of the LGC. Like the secretary too, he is also a signatory to the account of the LGC. He coordinates expenditure of the LGC and maintains record of both federal allocation and internally generated revenue to the Council. He also functions as officer in charge of supplies to the LGC. He advises the management on the financial matters, in his capacity as a member of F&GPC of the LGC.

Of recent, there have been major reorganisations of unskilled or unqualified officers in this department. In order to have the right personnel manning various sections of the treasury, those promoted to the post of treasurer due to long service without appropriate qualifications were replaced with qualified/skilled personnel who possess HND or first degree certificates. Recent examples within the last one-month include immediate past internal auditor and Deputy Treasurer of Ife East and Ife Central LGCs who were relieved of their duties because they did not possess appropriate academic qualifications.

The Director of Works

He oversees the works' department of the LGC, which includes, town planning, estate management, quantity survey, building, carpentry and furniture, plumbing and electrical units. In the past, each department was headed by the most senior officer from any of the units such as town planning, quantity surveying, civil or mechanical engineering. However, the trend has changed in order to pave way for effective coordination and supervision of works' department; hence, of all the officers mentioned, only qualified engineers are currently appointed as directors of works irrespective of their grade level or long years of service. The Director of Works also functions as the council engineer.

The Director of Primary Health Care

PHC coordinator is the officer in-charge of primary and health care services in LGs. Until recently, PHC departments were being manned by semi-skilled pharmacy-technicians, environmental health officers, community health extension workers, nurses and medical record technicians. These individuals are trained specifically on some fractional aspects of PHC delivery and as such, lack the required professional training to coordinate primary health care delivery. The old hands that are not qualified are gradually being phased out to accommodate qualified and competent people whose training were tailored towards the aims and objectives of primary health care delivery. Out of the various cadres in the PHC department, only qualified medical officers (comprising qualified doctors, community health extension worker; (CHEW) and qualified nurses are now being appointed as coordinators and deputy coordinators of PHC

respectively. It is very rare to have an environmental health officer as director or deputy director of PHC department.

The Internal Auditor

The sensitive nature of this officer's job requires those that are appropriately schooled in accounting and auditing to oversee the management of audit units. Unfortunately, enough, LGC personnel without skill/knowledge in auditing, but, rose through the rank within the treasury department and who is the most senior in terms on the Council's Personnel List is often appointed internal auditor. Recent experiences had shown that those who were appointed internal auditors performed below expectation when compared to their colleagues that passed through University or polytechnic accounting/auditing training courses. In order to correct these anomaly, this cream of unqualified auditors/accountants are being replaced by qualified candidates who possess the required academic training by LG Service Commission (LGSC). The immediate past internal auditors of Ife Central/Ife East LGCs were removed and reappointed rate officers and deputy treasurers respectively (just a month ago, this year 2004) because they lack the required academic qualifications.

Community Development Inspectors

Unlike in the department of PHC, Works and Agriculture, the community development unit can be manned by any staff from the registry or administration as a result of which makes one to conclude that the unit is not fully professionalised. Any staff of the registry/administration can be posted to oversee the affairs of this unit whereas the functionality of the unit requires services of careerists who are knowledgeable in community development.

Information Officers

These are image-makers of the LGC. The information officers are expected to be skilled in information dissemination, information gathering and storage. However, information officers without appropriate training on information technology have become mere masters of ceremonies at most LG-organised programmes. Their schedule requires information gathering, storage and processing. Many of the Information Officers do not have professional training in journalism or Mass communication, which is an essential ingredient of their office.

Agricultural Officer

This department also suffers untold hardship because untrained Agricultural scientist in most of the LGCs in the state is recently overseeing it. This development had led to paperwork-farming exercise. Little or no emphasis has been placed on professionalism in the agricultural sector of our LGCs.

University graduates are now taking up LGSC appointments. The cream of LGC Secretaries trained in the past rose through messengerial appointments to chief principal executive officers that are no longer on the list of present administrative cadre of the LG service commission.

There were instances too of periods when the appointment of Director of Management Personnel were made on consideration of the most senior officer irrespective of his or her department. As a result of this unprofessional development, an environmental officer was appointed as local government career secretary, another town planning officer was also appointed as Secretary.

After the Allison Ayida's report of 1997, the tide has however been changing. More commitment is now feasible regarding the issue of professionalism in local government service. The various officers that have risen through the rank to leadership positions are now being gradually phased-out and replaced by the new cream of degree holders from the universities. Some of the old officers that were smart enough, have equally up-dated themselves and have thus remained relevant in the system.

At this juncture, it is expedient to enumerate and discuss the principles and ethics that should guide the conduct of professional practice in the LG system (Ero and Oladoyin, 2000, & Shellukindo and Baguma 1993:25-40). Professionalism itself simply refers to the behaviour

or skill exhibited by a professional. It is aimed at “career development...structured along cognitive fields of interests” (Adebayo 1994:185). The principles/ethics are expected to guide a professional in the LG system, as well as political office-holders in the LGCs. The merger is important because the union of politics and administration makes the service. In other words the politicians are professional statesmen and women while the bureaucrats are the professional administrators. Below is the enumeration of the principles/ethics of professionalism in the LG service:

- i. Accountability
- ii. Loyalty
- iii. Integrity
- iv. Confidentiality
- v. Impartiality/Neutrality
- vi. Competence
- vii. Courtesy/Respect
- viii. Transparency
- ix. Prudence

These basic tenets of public service ethics include:

Accountability

The term accountability is closely linked with transparency and responsibility i.e. answerability. Government and its officials must be accountable to the people. Where there is no accountability, unethical behaviour thrives. Public officials must be accountable to their superior and the government that employ them for their official actions or inactions. They must accept responsibility for the authorized acts of their subordinates.

Related laws to accountability in the G.O. include

*GO 04202: **Financial embarrassment:** (a) The efficiency of a government servant must be regarded as gravely impaired and the value of his service seriously diminished if, from any cause whatever, he becomes financially embarrassed.

04203: **Money lending:** No government servant shall make any loan at interest to any subordinate government servant or shall act as an intermediary between government servant and a money lender or shall take any part in collecting debts on behalf of a money lender.

04212: Officers should declare property on first appointment.

04219: Subscription and valuable presents:

- (a) The collection of subscription from subordinate officers and employees to defray the cost of testimonials and presentations to superior officers is prohibited.
- (b) Officers of Nigerian public service are prohibited from receiving valuable presents (other than the ordinary gifts of personal friends) whether in the shape of money, goods, free passages or other personal benefits, and from giving such presents.
- (c) Valuable presents from rulers, chiefs and other persons which cannot be refused without giving offences shall be handed over to the Government (C.R. 52).

Loyalty

Public officials must be loyal to the government and vice-versa. He must carry out government instructions faithfully without offending his professional integrity. He must be dedicated and committed to his duties. He must be honest as public officials are trustees of government assets, which they must guard honestly.

04204: **Paid employment on leave:** No officer or employee may accept any paid employment while on leave without previously obtaining the express sanction of the Treasury (C.R. 47).

- 04215: **Work for Private persons or firms.** No officer or employee, other than a medical officer may render professional assistance to private persons or firms, or accept remuneration for it, except with the written permission of the treasury.
- 04218: **Libel and Slander actions:** No step may be taken by an officer or employee, without the consent of the Head of service to institute legal proceedings for libel or slander in connection with matters arising out of his official duties (NGO 4218).

Integrity

Public official must maintain ethical standards. They must be principled and morally upright. They must not derelict their duties. They must always be punctual and always be at their duty posts. Above all, they must maintain high moral standard and comport themselves with integrity.

04201: Absence without leave:

- (a) Any government servant who absents himself from duty without authorised leave renders himself liable to be dismissed from the service and the onus will rest on him to show that the circumstances do not justify the imposition of the full penalty. (NGO 04201).
- (b) An officer will not receive salary in respect of any period during which he is absent from duty without leave.

04112: Reporting misconduct. It is the duty of a superior officer to whose notice the misconduct (see Nigeria General order 04102) of an officer or employee subordinate to him is brought to report it to the appropriate officer together, if necessary, with his recommendation as to interdiction.

Confidentiality

Public officials must keep official or privileged information secret. Leaking of confidential documents or secret is prohibited. The security and integrity of the state must not be prejudiced. Secret information acquired in the course of their official duty must not be divulged without proper authorisation even after leaving service.

- 04205: **Disclosure of official information:** Every Government servant is subject to the Official Secrets Law (W.R. No. 13 of 1959).
- 04206: **Copying of official documents:** Every Government servant is prohibited from abstraction or copying official minute papers, records or other documents except in accordance with official routine or with the special permission of government, obtained from or through the Head of the Department concerned with the subject matter (N.G.O. 04206).
- 04207: **Personal Records:** Government servants should not as a general rule be allowed to have access to confidential or secret records relating personally to themselves (N.G.O. 04207).
- 04208: **Public records:** No government servant may, on leaving Nigeria, take with him any public record without the written permission of the appropriate Head of Department or, if he is himself a Head of Department the Head of the Service (N.G.O. 04208).
- 04209: **Historical documents:** Historical manuscripts, or other documents of public interest, which may be discovered by any Government servant may not be removed from Nigeria. Their existence must be reported to Government through the head of the department concerned with their subject matter in order that, when feasible, steps may be taken for their examination and preservation.
- 04210: **Publications and Public Utterances:** Except in pursuance of his official duties, no officer, employee or member of the temporary staff shall, without the express permission of the Head of the Service, whether on duty or leave of absence:
- (a) act as the editor of any newspaper, magazine or periodical or take part directly or indirectly in the management thereof;

- (b) contribute to, whether anonymously or otherwise publish or cause to be published in any manner, anything which may reasonably be regarded as of a political or administrative nature;
- (c) speaking in public or broadcast on any matter which may reasonably be regarded as of a political or administrative nature;
- (d) allow himself to be interviewed or express any opinion for publication on any question of an administrative or political nature or on matters affecting the administration, defence or military resources of any state, territory or dependency in the British Commonwealth.

Impartiality, Anonymity and Neutrality:

The triple law of Impartiality, Anonymity and Neutrality must be adhered to. Public officials must be apolitical and they must execute their advisory decision making role within the parameters allowed by their political superiors. They must not be partisan. They must be impartial in all their official dealings regardless of personal, ethnic religious, relationship, racial or any considerations. They should not exhibit favouritism.

They should be anonymous i.e. heard but not seen. They should not take credit for policy suggested and accepted by government. The Government alone should take the credit or discredit.

Political Activities

04211: No officer, employee or member of the temporary staff shall whether on duty or leave of absence:

- (a) hold any office, paid or unpaid, permanent or temporary, in any political organization;
- (b) offer himself or nominate anyone else as a candidate at any election, or at any stage thereof, of member of a Regional or the Federal Legislature or of any Local government body;
- (c) indicate publicly his support of or opposition to any party, candidate or policy;
- (d) engage in canvassing in support of political candidates.

Nothing in this General Order shall be deemed to prevent a Government servant from voting at any election (N.G.O. 04211).

Competence

Public officials must be qualified, competent and efficient in their duties. They must not be lazy and must attend to their duties punctually, courteously and with respect. This is the whole essence of professionalism.

Courtesy and Respect

Public officials must treat everybody including their co-workers with courtesy and respect. They must not be arrogant, rude or insubordinate in their interaction with the public. They must create a friendly environment, be patient, empathic, and approachable and ready to provide information to the public. They should not seek privileges and they must serve as role models. They must be tactful and diplomatic with the public.

Transparency

This is the ability to act in a way, that is not only honest but also seen to be honest (Iyayi 2001) Iyayi explained further that transparency entails the ability to discharge our obligation in a manner that does not leave a blemish on the character, name or reputation of the person. A transparent person has nothing to hide; he is open and scrupulous in the use and management of forms and resources. Grenming and Koen et. al. (1999), conceptualise transparency as the principle of creating an environment where information on existing conditions, decisions and actions are made accessible, visible and understandable to all market participant through disclosure. Every politician and administrator is therefore expected to be open; without having any skeleton in his or her cupboard in the discharge/conduct of his/her lawful duties and schedule.

Prudence

Iyayi (2001) also conceives prudence as the ability to set limits on one's behaviour especially in the use of resources, people and their goodwill. From *Encyclopaedia Britannica*, prudence refers to the application of skill and good judgement in the use of resources. It follows *ipso facto* that politicians and administrators must be frugal, wise, and disciplined in the use of resources and judgement.

Cooperation (Team Work)

This is a personal code that I consider pertinent, although not widely discussed by other scholars as *sine qua non* of professionalism. This entails teamwork. Professionalism must not be seen as individualism in the LG system. As much as every professional is doing what he is proficient in, the overall health or good of system as a whole i.e. the LG system must be paramount and must serve as impetus or melting point for all endeavours. In other words, the entire professional in all the local government must embrace teamwork as a guiding principle.

Ethical Problems of Nigerian Public Officers

Ethical problems of public officials in Nigeria can be conceptualised as deviation from standard norms and rules of doing things. It involves the exchange of public good for private ends or interest. In Nigeria, ethical problems, which can be referred to as corruption is now so entrenched in the public service system that it has been institutionalised? 'If you cannot beat them, join them syndrome' is now the language in vogue. There is no longer a sense of accountability in the public service as government and government officials are no longer accountable to the people they serve. This is not to say that there is no cosmetic or propaganda accountability via news media.

Ethical problems in public service, though many and varied can be generally said to result from three main sources, namely political, cultural and economic.

Political

(i) Ascendancy of Politics over Administration

Political office is deemed to be superior to administrative values. The triple maxim of neutrality anonymity and impartiality is no longer in existence within the public service. There is now ascendancy of politics over administration. The Administrators now dance to the tune of the politicians; some, for their survival and some for their greed and private good rather than to the good of the general public they serve. Electoral tickets are pre-arranged by power elites in the society and positions are allocated before elections; every other after-election selection processes are nothing but a ruse. Public officials that are most corrupt are seen to be the most cooperative by the political leaders while those who resist are suspect and regarded as dangerous.

(ii) The Socio-political and Economic Environment

Three main handicaps prevail in this circumstance. (One)-the greed of the political leaders, which leads to the suppression of the administrative norms, (two)- lack of national political culture that guarantees 'safe entry' and 'safe exit'. This necessitates the bending of rules of fair play and administrative careerism so as to create a safe constituency for political survival (three) it is assumed that political power is tantamount to economic power. The political power is thus utilized to economic advantage, using the administrators or public officials who manage government resources to its advantage.

(iii) Lack of Sense of national Identity

There is no sense of national identity. People are still strongly attached to their ethnic groups and only come together for conveniences sake rather than for cultural or psychological bonds. There is scuttling for positions, as resources are limited. People in government want to sit tight while those not yet in want to un-sit them and this leads to endless crisis. The rule of the game has to be bent to the advantage of those in power to keep them in.

(iv) The Prevalence of Soft States

Political corruption occurs as a result of ineffective and inefficient leadership. The national interest remains weak and this leads to the emergence of 'Soft states' with widespread corruption. A soft state is characterized by deficiencies in legislation of laws, disobedience, variation of rules and directives and collusion with powerful individual also prevail amongst public officials.

Administrative structures become patronage institutions rather than agents of change as a strong political interest has developed in public personal matters. The public officials succumb to political patronage in the hope of gaining advancement and recognition leading to erosion of civil service codes and ethics.

The Economic Factor

Maslow's hierarchical theory of need that man graduates from lower needs to higher needs come to play strongly, as to satisfy these needs depend on the economic factors. Ethical problem of lack of accountability on the part of the public officials has been attributed mainly to wage erosion of public service and 'spill over of corrupt elements from economic aggrandisement.

Erosion or Decline of public officials earnings; compensation of public officials in most African countries is inappropriate and inadequate. The wage level and wage structure are in short supply. There is decline in wages and salaries as against cost of living resulting in inadequate wage level.

Even where the wage level is rational, government policies in terms of development in the structure of wages is unfavourable to certain groups, resulting in brain drain. Wage erosion result from lack of corresponding increase in wage with the decline in the purchasing power of the currency. As the Gross Domestic Product (GDP) and the Real per capital income keep falling drastically, the purchasing power of public official also keeps falling.

Compression of wages is another issue. This affects public officials' earning higher salaries. Government's policies to viaduct the gap between the poor and the rich sometimes come out in the form of wage compression whereby the salaries of the higher paid employees are slashed and brought closer to that of the lowest paid employee. This discourages strife for excellence or advancement and results in more skilled employees fleeing to greener grounds.

To make ends meet however, employees left behind result in engaging in other means of supplementing income to satisfy their psychological needs. The means of raising extra income leads to corruption of various facets; some to embezzlement, inflation of contracts, receiving 10% on contract awarded which results in bad contract performance, conducting other businesses during official hour, bribery and corruption, participating in all other hidden un-taxable income earning ventures etc and general violation of ethical codes.

Socio-cultural Factor

Our society is still predominantly bucolic and prismatic. The moment one becomes a senior public official, he is regarded that he has now come into power, wealth and status and; he is regarded as a common pool for the entire society. His organization which contracts him and from which he makes his living requires his allegiance. Kinsmen, ethnic and circle of friends expect to partake in the 'booty'. If he does not yield to their demand, he is regarded as an outcast. To yield however might require his manipulating the existing procedures and the system to accommodate their demands.

From the aforesaid, though it is often argued that most corrupt officials are forced to resort to unethical practices by pressure from their political masters, adverse economic factors and pressure from their kinsmen and associates this opinion though has some credibility should not be overstretched. For public officials to claim understanding and corrective actions must be effected.

Efforts made in Tackling Ethical Problems by Public Official in Nigeria

Apart from the law and general outcry by the public, specialized government institutions and ad-hoc bodies are put in place by the government. They include:

Code of Conduct Bureau (CCB): The code of conduct bureau entrenched in the 1979 constitution demands that public officials should not conflict their private interest with public duties, engage in any employment outside the civil service responsibility, live outside their income, belong to any secret society, operate foreign accounts, take public loans or sell or acquire government properties, take or demand for gifts from any person or financial institution in exchange for public service, take up more than one public sector job after retirement and must declare their assets immediately they assume office, after every four years and at the end of their term of office.

Code of Conduct Tribunal (CCT): This body is saddled with the duty of adjudicating on matters arising from code of conduct Bureau and in difficult cases, file appeals to the federal High Courts.

Public Complaints Commission (PCC): This commission established in 1975 is saddled with the responsibility of looking into complaints bordering on administrative activities of public officials and private agencies which the citizens consider to be irregular, unlawful, oppressive, unfair and inordinate in motivation. The commission maintains offices at federal, state and local levels.

Public Account Committee (PAC): The PAC was established to provide assistance to the legislative arm of the government by performing oversight functions over all executive offices in relation to the expenditure of public funds. When the auditor-general submits his annual report and comments on government accounts to the legislature, it is the function of the PAC to scrutinize and vet the submission.

Quasi-Judicial Bodies: This is a popular strategy, which several regimes have adopted. Such bodies are used on ad-hoc basis to handle cases swiftly and secure judgement within a specified time frame with dispatch and avoidance of the legal technicalities.

Independent Corrupt Practices Commission (ICPC): This body also referred to as Anti graft commission was recently set up by President Obasanjo during his last tenure of governance 1999-2003. The body is saddled with the responsibility of investigating government officials at all levels either elected or appointed including public officials and if found guilty sent to the law court for prosecution.

Unfortunately, virtually all the Commissions and bureaux have records of corruption smearing their records. (Ero and Oladoyin, 2000). This shows that the state intervention has not been really effective in stamping out corruption from our body polity.

Recommendations on how to ensure better adherence to Ethical Codes in the Nigerian Public Service

The leadership class should be more effective, focused and more accountable to the people and public. The public should constitute themselves into pressure groups and demand accountability from the government and the public officials. They should also express their opinion on the reputation of anybody that is to be appointed to any position. There should be a general outcry by the public against corruption in the media, in the prints and in any forum where the voice of the people can be heard.

Social value should be changed from love of money to the moral and ethical standards that used to be valued by Nigerians in the past. The public should discourage corruption by not fanning the embers of ethnicity, kinship, and tribalism etc.

Integrity, skill etc. should be recognized for promotion of public officials and efforts should be made to ensure that wages are commensurate with productivity and cost of living.

Governments should act as moral agents, specialized government institutions set up should be manned by people with integrity and should not only be allowed to perform its duty but mandated to.

Conclusion and Policy Options

A country cannot develop if it does not adhere to ethical codes and principles guiding its government, its public officials and the public in general. Concerted efforts should therefore be made by the government and the people of Nigeria to rid the country from corruption in all ramifications. Nigerians should be more patriotic so that together we would emerge a united, more prosperous and more developed nation.

Having considered the general background, it is now evident that local government service has been run in the past by incompetent and unprofessional hands. This has made federal and state tiers of government to look down on local government as a sub-standard or lesser level of government. In their treatment, it reflects that LG is a mere appendage or tool that could be used and dumped at will.

The legislature should therefore specify the functions, schedules and powers of local governments clearly in the constitution and remove the mist of vagueness and ambiguity from LG administration. If this is done, the true status of LG will be known and it will cease to be a mere appendage of other tiers of government. This is when professionalism can make begin to take root in the Nigerian LG administration.

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ORGANISED LABOUR AND POLITICAL CLASS: WHO CONTROLS THE MACHINERY OF LOCAL GOVERNMENT ADMINISTRATION

F. A. OLASUPO

Synopsis

The struggle for the control of Local Governments' destiny has for long been subject of controversy between the career and political functionaries of the third tier of government in Nigeria. The policy implementers that are the careerists and the policy formulators, the political class, at this tier of governance, appears to have sworn to eternal supremacy conflict on who is appropriate hub, heart or soul of Local Government. President Obasanjo added to this confusion when, on assumption of office in 1999 recommended that Supervisory Councilors should be chosen from outside instead of from elected councilors. The upshots of this brinkmanship lack of cooperation and co-ordination of government programmes that concomitantly impact on goals attainment – the essence of devolving power to this tier of government. What then is the essence of Local Government is going to be the subject of consideration in this paper; hoping that it would assist in placing the two combatants in their proper places and showing where they need to converge and diverge when necessary.

Introduction

Under colonial and military regimes, both of which were autocrats in nature, technocrats at the Local level, especially the Council Secretary and the Treasurer, were very significant to the Local Government system. The nature of these models of governments abhors democracy and so while colonial government preferred the traditional rulers who were epitome of autocracy as presidents of the Local Government councils. The military regimes, especially during and shortly after the civil war, on the other hand preferred the appointment of state civil servants as sole administrators of the Local Governments while at the same time keeping the support of the traditional rulers, another autocratic institution, whom it severed from governance at the local level but created a parallel institution, traditional council, without governmental power, for them in the 1976 Local Government reform. By this contenders for power at the local level became three: career officers, local politicians and the traditional rulers. Thus while politicians elected as executives at the local level formulate policies and career officials execute them traditional rulers assist these two other bodies in service delivery, dissemination of information and explanation of government policy to the rural populace (Mead, 1995:198). Under military regimes, the supremacy tussle among these contending powers was successfully managed..

But the country is currently under full fledged democracy and all the power elites – career officers, political class and traditional rulers – are trying to claim what rightfully belong to them under democratic process – authorities within their areas of jurisdictions. However the way they are going about it tends to bring anarchy to local governance. There is currently ego conflict among local civil servants, civil authorities and the traditional authorities. What this paper set out to examine is the limitations of all of them with regard to the smooth running of the system. And to do this, the analysis of the essence of the Local Government system is expected to brighten our perspective essence of the trio: career workers, political class and traditional rulers in the Local Government administration.

Conceptual Clarification

The key terms that need clarification here are organized labour and political class. Organised labour or trade union as the case may be is associated with wage or salary earners who often formed itself into association with the objective of, according to Sola Fajana, “safeguarding and

improving the wage and employment conditions of their members and to raise members' social status and standard of living in the community" (Fajana, 2000: 1). From this work, he asserted that, people although engage in a contract employment, want to satisfy different needs. In organised labour, he argues, individuals cannot hope to obtain their work goals acting individually with the employers due to the following factors: "the situation of the labour market, the employee often needing an immediate sale of his labour because it is not storable, and the de-skilling process by which the individual worker is alienated from his output, etc. Group action, through trade unionism, often presents a better opportunity for the employee to achieve his work goals and objectives. Employee's associations, of which National Union of Local Government Employees (NULGE) is one, are labour unions under Nigeria labour laws (Fajana, 2000: 1)

The career workers or civil servants including their distinctive ranks and hierarchies at the Local Government level and who are also members of NULGE include the Directors of Personnel Management (DPM), the Treasurers, Heads of Departments, Heads of Area Councils and Heads of various outposts or units. Their conducts are guided by rules, regulations and procedures.

The political class, essentially made up of politicians, at the local level and its diverse sub-classes, include the Chairman of the Council, the traditional rulers, supervisory councilors, party administrators, party leaders, members of the legislative councils and party stalwarts³. Under abnormal political situation, it may also include nominated or appointed sole administrators as under the military regimes or management committees under civilian administration (Musa, 1992: 12). The conducts of the political class are antithetical to those of the career workers. Even, if their conducts are also guided by rules, regulations and procedures, they place much premium on Machiavellian doctrine of "the end justifies the means".

Dasuki Committee set up by the Federal Military Government to review the performance of local government in Nigeria defined "A traditional ruler as the person who by the virtue of his ancestry occupies the throne or stool of an area and who has been appointed to it in accordance with the custom and tradition of the area and has suzerainty over the people of that area"(Federal Republic of Nigeria, 1987:5).

Comparing the three therefore, while career workers emphasis process of goal attainment and political class has as its main focus the result, no matter how it comes about, traditional rulers believe there is no way anybody could exercise power in their areas of suzerainty ignoring them. It was because they could not be ignored that colonial authorities weaved local government administration around them in the colonial days. But while they are united by the organizational goal they are dispersed by how to attain it. This is one of the major causes of disagreement among these contending local powers. Federal Government's interference, particularly under the military regimes, is another major cause.

Essence of Local Government Administration

The realization that 70 to 80% of Nigerian poor reside in the rural areas of the country led to a serious debate at the government circle as to how to alleviate the suffering of this class of people. To assist them was not the issue but by what means? There were those who argue for and against institutional approach. But what manner of institution: governmental or non-governmental? In other words, the argument revolved around the idea that whatever assistance any governmental and non-governmental organization has for the rural people should be channeled through the institution of Local Government. But there were those who contend that other institutions devoid of "government" should as well be explored. And here the philosophers stepped in to provide guidance. Three major areas where those in favour of creating Local Governments for the purpose of providing social service to the local or precisely rural people anchored on local concern or interest, political education and accountability (Gboyega, 1987:14).

The first main ground on which Local Government is anchored is local interest or concern. It is stated that there are certain interests or concerns that only a section of the community has in common and it is convenient as well as advisable that only those who share this community of interests should administer them. As it is put "the very object of having a local

representative, is in order that those who have any interest in common, which they do not share in common with the general body of their countrymen, may manage that joint interest by themselves” (Gboyega, 1987:3). On political education, four areas that proponents of this view believed Local Government could provide political education to the rural people are (a) education in the possible and expedient (b) education in the use of power and authority and in the risk of power (c) education in practical ingenuity and versatility (d) that Local Government could serve as a training ground for national politician (e) that information about the localities can be easily and cheaply made available to the local and central government authorities (f) that Local Government helps to realize the basic of a democratic state (liberty, equality and welfare).

Liberty, they argue, is realized through Local Government because (i) Local Government provides for individual access to power and to the point of pressure and control (ii) it enables the minorities to avail themselves of governmental position and power and keep power close to the people thereby facilitating control of government officials by the people (iii) as a level of government it is a countervailing power to other governmental levels (iv) as a power sharing device, it help to localize and confine problems that may arise out of the government process. Finally, it is believed that Local Government would teach the local politicians and the rural communities in general, the art of weighing and choosing between competing claims and justifying the choice as a just one –i.e. being accountable (Gboyega, 1987:2).

“In summary, Local Government, it is claimed, enables services of local importance only to be locally administered, provides education in citizenship, provides training in political leadership, makes available to the central government information about localities which is essential for adequately meeting their needs efficiently, and minimizes concentration of political power by diffusing it areally. These values, it is added, promote democracy; they are contributive to the development of a democratic climate” (Gboyega, 1987:3).

In point by point rebuttal of the positions of pro-Local Government philosophers by anti-Local Government proponents, they, Sharpe in particular, argued that there is hardly any distinction between interests, which are of local interest and national interest. To him, almost all services today have national implication. Apart from local fishpond or town hall, he argues, which do not affect the viability of a country as a whole, all other Local Government functions are of national implications (Gboyega, 1987:4). On the issue of Local Government providing organizational focus in the provision of social services to the local people, they contend that structures other than Local Government could do so. They cited the example of prefecture in France, which achieves a blend of local and central co-ordination. Again, in the British colonial administration in Africa, the Political Officers, the Residents or Divisional officers, were the local point of co-ordinations. These examples argue the inevitability of co-ordination but not any particular device for achieving it. On the argument that Local Government allows for political education, this is the position of anti-Local Government proponents: “Since the Parliament, in the nature of things, will always be an institution dominated by the middle class, Local Government provides the only real opening for the working class to take a direct hand in the political process although this alone is hardly adequate justification for the existence of Local Government (Gboyega, 1987:5).

The argument that first hand and adequate information about localities can best be obtained by Local Government has also been debunked. For instance, it is claimed that the central government can utilize the services of social scientists in order to ascertain local wishes but usually at a great cost and with less assurance about the profundity of the knowledge so acquired. Lastly, Smith, one of the adherents of Sharpe, responded to the argument that Local Government ensures greater accountability, flexibility and sensitivity (reflection of local knowledge). According to him, there are “important factors which militate against local flexibility and responsiveness”. These factors include the need to maintain minimum national standards and the fact of inadequacies of locally generated finances (Gboyega, 1987:5).

However, the only firmer anchor for the justification of Local Government, as a focus of co-ordination for poverty alleviation programmes for the rural populace, is that only “a genuinely representative system, in the absence of direct citizen participation, can satisfy the democratic demands of consultation and consent in the determination of public policy for the

local community: that, decisions of the representatives of the people regarding the needs and priorities of the local community are apt to be more accurate and, at any rate, legitimate because it is of the community, rather than if they were made by agents of the central government” (Gboyega, 1987:5)

But the problem here is who constitute accredited representative of the people at the local level in this modern time. At the local level are two publics: primordial public and modern public with their accredited but conflicting representatives. Prior to 1976, accredited representatives of these two publics co-habited in governance at the local level. But when it was discovered that traditional rulers were challenging the authority and legitimacy of local governments by competing with them “for the loyalty and resources of the localities” they were severed from the local government system and constituted into a separate council known as Emirate or Traditional Councils (Gboyega, 1996:3).

The attribute of Traditional or Emirate council as against conventional Local Government system are non-state organs rooted in the indigenous traditions of social order, voluntary and most importantly, “active and often successful in the provision of services required by their clientele”. In recent time, according to Olowu, some of them have become active in the political arena as well (Olowu, 1999:288). In other words, the basic differences between this ‘traditional government’ and Local Government are in the areas of legislative role (making of bye-laws) and democratization. Whereas modern Nigerian Local Government system is democratic, representative, legislative and executive, ‘traditional government’ of Babangida’s vision lacked all these attributes and thus merely assists the other levels of government in service delivery, dissemination of information and explanation of government policy to the rural populace (Mead, 1995:198)

The interplay of this traditional or emirate council with other levels of government led some scholars to variously refer to traditional councils as: “fourth level of government” or “fourth estate of the realm”, “grass-root” government or community government, “village government” “local development agencies” village development organs etc. They (Traditional council) are seen as “alternative non state structures that can respond to economic and social needs” of the people. Conceptually, “it focuses on the totality of structures within the local community that comprises both state and society organizations”(Olowu, 1999:288)

In any case, the incomplete separation of traditional councils from the local governments encouraged subtle interferences of traditional councils in the operations of Local Government councils. This was because under military regime a place was designed “for the traditional institutions in the form of a Consultative Council of Chiefs in each Local Government area which is expected to meet bi-monthly and consult with the Chairman and the Supervisory Councilor of the Local Government” (Aidelokhai and Ehizuelen, 1997:216). Through this forum, Local Governments were expected to make available to the office of the Traditional Councils, their draft estimates well in advance for advisory comments of the Traditional rulers (Federal Republic of Nigeria, 1985:24). Secondly, these a-political traditional institutions (Traditional councils) became public office holders of the respective Local Government councils as their salaries, just like those of judges and diplomat/ambassadors, were paid from the consolidated fund (Aidelokhai and Ehizuelen, 1997:216).

Ultimately, payment of traditional leaders salaries was later altered, as Local Government councils became carrier of Traditional rulers’ burden. Abacha’s regime that came on board on the 18th of November 1993 ordered stoppage of traditional rulers salaries from being paid from consolidated fund. Rather, Local Government councils were mandated to set aside 5% of their Federal allocation for the up keep of the traditional rulers. The present civilian administration of retired General Obasanjo, did not obstruct the payment of this 5% to the Traditional rulers when he came on board on May 1999 but insisted that it should not be the responsibility of the Federal Government. According to her, any Local Government willing to have Traditional rulers could do so on its own volition because the constitution setting up the present civilian administration does not recognize Traditional rulers.

In any case, the incomplete separation of this primordial system of governance from the modern system at the local level tied the fate of the Traditional council to that of the Local Government such that these two institutions became conjoined or Siamese with concomitant

continuation of obstruction, which Traditional councils constitute to democratic process at the local level. Hardly could any political decision on Local Government escape Traditional council because of this Siamese link. For instance increase in the number of Local Governments brings about automatic increase on the number of Traditional councils. Similarly, reduction in the number of Local Governments concomitantly reduces the number of Traditional councils as well.

However two main issues that highlight contradictions among the representatives of these three conflicting institutions – career officers, local political class and traditional rulers are service delivery and the exercise of local authority. Beyond policy formulation, the political class and traditional rulers lacked the technical know-how of implementing governmental policy and this is where the labour or career class, trained in this area, comes in. But they (political class and traditional) do not want their authorities – primordial and modern –trampled upon hence the rampant clash, between them, especially political class and the carrier officers. This rampant rivalry found among career workers, political class and the traditional rulers was ignited by colonial authorities who at the inception of colonialism relied heavily on traditional rulers at the expense of technocrats and educated class for transmission of their policies. While driving wedge between traditional rulers and the educated Nigerians, technocrats at local level, particularly the secretaries and the treasurers supported by the Local Education officers, were being empowered as chief executives and accounting officers of the Local Governments (Ayoade, 1995:20). Notwithstanding the democratically elected Local Government reforms of 1950 in the East and the West, the secretaries and treasures continued to remain critical in the running of the councils because the councils' presidents, the traditional rulers, continued to lack executive power. As a matter of fact, local government councils at that time lacked autonomy since their existence depended on the whims and caprices of the regional governments (Nwosu, 1986:3). This was responsible for the local technocrats taking directive directly from the regional governments and thus constituting a local power bloc different from local political class and the traditional rulers.

The 1976 landmark Local Government reform instituted by the military, noble as it was, continued the colonial government arrangement of strengthening career workers over and above the political class and the traditional rulers. Specifically in 1987, secretaries to the Local Governments were designated as chief executive officers of the councils while the political heads of the councils remained state appointees (Gboyega, 1995:12). Meanwhile traditional rulers who have been severed from Local Government councils were agitating for restoration of the executive, legislative and judicial roles, which they exercised at the local level in the colonial days (Federal Republic of Nigeria, 1987:148). In 1992 Federal Military Government's ill advised policy of abolishing Local government service commissions –a body that serves as buffer between the senior level employees of the councils and the Local government councils – accentuated the rivalry between the NULGE and the political actors. Among other consequences of the abolition of the commissions was the placement of all staff of the Local Governments under the firm control of the chairmen of the councils, a policy that tended to ignore the fact that it was liable to abuse and did abuse in the way it converted some local government chairmen into petty tyrants. (Gboyega, 1995:17).

Not only did the abolition make some Local Government Chairman tyrants; it equally jeopardized careers of some Local Government workers. For example, the exercise resulted into job losses and over politicization of employment (Okunade, 1990:15). For instance, the job of rural development workers (now Community Development workers) became threatened. These Community Development workers were employed and trained for a year by the local government councils particularly in the Western part of the country. The nature of their employment was such that both the Local Governments and the Local Government Service Commission were responsible for their existence (Gboyega, 1981:124). While the Local Governments were responsible for their salaries the commission reimburse them in full (Gboyega, 1981:124). This devise was to ensure that they (Community Development Workers) were not subservient to Local Government councils. However, when the Local Government Service Commission was abolished in 1992, this category of workers faced the dilemma of alienation. Similarly confused were the rural communities that enjoyed the services of these

workers in the areas of organizing them (rural communities) for self-help projects, adult education programs, youth club, farmers' co-operative associations and festival of the arts. Besides, they worked in collaboration with health Division of the Local Governments to improve environmental sanitation through clean-up campaign. These roles were thus disrupted by the abolition of Local Government service commission in 1992 and thus lost its appeal board role for the Local Government employees.

It was not surprising therefore, to see this trend continued in the early part of the current fourth republic. The issue of who became Local Government secretary had again reared its head. The state governments argue in support of the replacement of career secretaries with political appointees, which were opposed to by the Nigerian Union of Local Government Employees (NULGE) (Olasupo, 2001:15). The NULGE insisted on knowing what would then be the fate of career secretaries. The State Governments responded by recommending that they (career secretaries) should revert to Director of Personnel Management (DPM). There was even political disagreement among the political class over the appointment of Supervisory Councilors. Hitherto, like the chairmen of the Local Government Councils, the Supervisory Councilors were elected through Electoral College system. In 1987 zero party Local Government election, the supervisory councilors were directly elected like chairmen and thus ascended to their positions through direct selection or mandate of other councilors just like the chairmen. The zero party bases provided an opening for traditional rulers to enter into local politics as would- be local government chairmen or Supervisory Councilors sought the blessing of these royal fathers.

But the current civilian administration of retired General Obasanjo issued a new guideline recommending that the appointment of supervisory councilors should be from outside and at the sole prerogatives of the council chairmen. This policy unsettled the elected councilors who had always believed that supervisory councilors would always be nominated from their ranks and files (Olasupo, 2001:14).

Although the political class is the undisputed operators of modern local government system they need the support of the traditional rulers who are in direct contact with local people especially the primordial ones. Together, these two fall back on the machineries of Local Governments – the career workers. The career workers are the permanent technocrats or the machines that run the councils but they need to be operated by the political class before they could function. In short there is a kind of symbiotic relationship between these distinct local power blocs.

The political class, by the nature of its callings, is overt operator that needs recognition and has to be sought for in everyway possible. This is responsible for its periodic appearance before the electorates to test its popularity and accessibility (Musa, 1992: 12). He has a short tenure of four years in the first instance and the possibility of another four years if it is a performer. Regardless of its performance however, it could not extend its tenure beyond the constitutionally mandatory two terms. In other words, it is a short term oriented venture and its responsibility and accountability is equally limited to its tenure. But traditional rulers are all season rulers. They occupy office till they die. Long stay in office enables them to gather strong influence that makes it difficult for political class to ignore them in the local affairs.

The career workers on the other hand are not only permanent workers to ensure continuity, they also engage in the norms of long range planning that ought to be the turf of the politicians who are policy makers. The career workers are thus durable and this durability is an asset that any government of the day can fall on to examine the actions and the activities of the political class, regardless of whether they are politicians, military or civil servants (sole administrators). But the recent Supreme Court judgment up-set the delicate balance between the political class and the career workers when it ruled that the civil servants can and should participate in partisan politics (Editorial, 2003:17).

Central Government's Interference in Relation to Political Class and Career Workers

Thrice, since independence, has the central government's institutions – executive and judiciary – attempted to disrupt the delicate relationships that exist between the political class and the career workers at the local level. Between 1960 and 1987 British type of civil service operated in Nigeria at all levels of governments. Since 1979, especially under the military administration of General Babangida, attempt to politicize civil service along American model, particularly the management cadre, was made²⁵. Specifically, the application of this Civil Service Reform to the Local Government level was made in 1988²⁶. On assumption of office this fourth republic, retired General Obasanjo called on Allison Ayida to make recommendation on how to re-professionalise the Civil Service to what it was before – a non partisan and non-political service. In a counterweight step to Obasanjo directive to Allison Ayida, the Supreme Court ruled recently that Civil Servant could participate in politics and by that double its status as a civil servant and politician – a serious contradiction. Supreme Court justified its ruling by citing sections 40 and 45 of the 1999 Constitution. Section 40 was interpreted thus: “Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any party, trade union or any association for the protection of his interest”²⁷. “In terms of Section 45 (1) (a) of the Constitution, there is nothing reasonably justifiable in a democratic society to in the interest of defence, public safety, public order, public morality or public wealth in prohibiting members of the public service or civil service of the Federation, a state or Local Government or area council from eligibility to be registered as a member of a political party.”²⁸

The ruling triggered off another issue for debate as the Federal Government, through the Attorney General and Minister of Justice of the Federation and, also, the Head of Service of the Federation, have separately maintained that upholding the principle of political neutrality and anonymity of the public and civil service is inviolable.²⁹ Unlike the Supreme Court however, they anchored their objection to the ruling by relying on two separate but interrelated laws. First is the Civil/Public Service Rules paragraph 04421 and two, the Independent National Electoral Commission (INEC) guidelines no 5 (b) and section 79 (2) (c) of the Electoral Act 2001. The Guideline and Act, provide that a person shall not be eligible to be registered as a member of a political party if he is a member of the public service or Civil Service of the Federation, a state or Local Government as defined by the Constitution. There is therefore the problem of supremacy conflict between the Executive that makes the law according to the Constitution and the Judiciary that interprets the constitution. But it is not in doubt, the fact that judicial interpretation of the Constitution supercedes any law or statute³⁰.

Be that as it may, what is the difference between British and American types of Civil service that Nigeria so busily strives to copy? In fact, how many types of Civil Service exist? Three types of Civil Service are identifiable: British/French, American and German types³¹. The British/French Civil Service type is characterized by a tradition of non-political, non-partisan, and an allegiance by swearing to the oath of secrecy and non-partisanship. The American model on the other hand, is characterized by politicization of Civil Service, particularly the management cadre. Here, hundreds of civil servants go in and out with changing administrations. The German type, though as in Britain and France, swear an oath of secrecy and non-partisanship but differ with them because the status of the civil servant here is like that of soldiers and police whose political neutrality is absolute³².

However, a recommendation of American fad that Supreme Court ruling has suggested is bound to compound the existing complex and strained relationships that exist between the political class and the career workers. In the first place, how does one classify a career worker that contests and wins an election as chairman of Local Government Council? How could he fit into the political class he has just joined given the civil service rule, which emphasizes due process and the Machiavellian rule of “the end justifies the means” that is the maxim of political class? Although as elected chairman of the council this arrangement would have an advantage of technocrat at the helm and his performance would no doubt be enhanced by his long years of administrative background. But the disadvantage of losing that election far

outweighs the advantage. For instance, If he lost would he revert back to his status as career worker within the same Local Government? If yes, what would be his relationship with his political opponents who now presides over the Local Government? If no, would it then mean he has to loose his job? These are parts of the confusions that the federal or central government policy inconsistency contributes to the relationship between the political class and the career workers.

Given the interwoven connections that exist between policy-making and policy implementation however, there is need for the actors of these two parallel structures to relate in all the diverse aspects of relations.

Types of Relationships

Five types of relationships can be identified: dependent, interdependent, interlocking or interwoven or intertwined, bargaining and balanced³³. Dependent relationship is characterized by master-servant relationship. Interdependent is noted with the rule of give-and-take. Interlocking, interwoven or intertwined is characterized by unbreakable relationship regardless of circumstances: death or serious disagreement. It is akin to the relationship that exists between husband and wife, blessed with children but have to divorce after all. The divorce is only in physical and sexual separation. In spirit, they are united and the children that tied them together symbolize this. No other relationship is as powerful as this. Thus, organizational goal is the umbilical cord that links the political class and the career workers. Bargaining relationship is tenuous, weak or fragile. It is the kind of relationship that exists between the buyer and seller. Once the object of bargaining is settled the relationship terminates. Balanced relationship emphasis virtual absence of relationship other than the fact that we are all God's creatures until there is need to exchange. Exchange is the basic parameter of relationships. It is also worth noting that relationship could be formal or informal.

The relationship between the political class and the career workers is essentially formal but should be underlined by informal aspects to reduce undue tension because the type of relationship that exist between the political class and the career workers is basically interlocking. No amount of disagreement could prevent them from relating because they are both compulsorily united by the organization's goal. They are also interdependent of each other because none can perform without the other. Although it is impossible for them not to disagree in the course of discharging their respective duties, but when this occurs, drawing from bargaining aspect of their relationship would assist in lowering the rising tension. Both of them, political class and the career workers enter balanced relationship when they are discharging their constitutional duties without interference from each other. However, cultivating a healthy relationship is not easy. But the entrance of Local Government system into the inter-governmental relations system of the country since 1979 makes it imperative and necessary for local political class and the career workers to unit if they are to make meaningful contributions at inter-governmental forums³⁴.

Inter and Intra- Governmental relations:

Inter-governmental relations, in a federal system in particular and other systems in general, according to Olowu, refer to the totality of interactions among the levels of government. The totality refers to the various types of interactions among the levels of government e.g. financial, policy, political, administrative etc. This is one dimension of inter-governmental relations. Another dimension is that in a federal set up like Nigeria, six different types of inter-governmental relations can be identified. As Nwosu observed, the following relations can be identified in a federal state: (a) Federal-State, (b) Federal-State-Local, (c) Federal-Local, (d) State-Local, (e) State-State, (f) Local-Local³⁵. All these possible relations are encompassed in inter-governmental relations. But it should be noted that just as we have inter-governmental relations, we could also talk of intra-governmental relations.

Intra-governmental relations on the other hand are relations existing between different branches of the same level of government e.g. ministries within federal secretariat, ministries within the state secretariats and the departments within Local Governments' secretariats. Thus, the more programmes and activities Local Governments embark upon within their areas of

jurisdictions and, indeed, among other tiers of government, the more complex the nature and patterns of inter and intra governmental relations that would then require orderly and efficient co-ordination and management and, there are three important ways to this.

But before we go into that, we should note the existence of institutional machinery for coordinating and managing relations between the political class and the career workers at the local level. However, this machinery, which include the Audit Alarm Committee, the Local Government service Commission and the judiciary, takes care of the formal aspect of the relations between the two classes mainly. It takes little or no care of informal relations between them; although it should be pointed out that informal relationship can hardly be controlled or regulated by any institutional machinery other than the genuine will of the stakeholders themselves. The compositions of these institutions and their regular meeting forums provide excellent opportunity for informal gathering before, during tea break or after their statutory gatherings.

Institutional Machinery and their compositions:

Audit Alarm Committee: It comprises the Auditor General of Local Government as Chairman, Director, Local Government Inspectorate, and a representative from the Governor's office. The work of the Committee is expected to be facilitated by Secretary (But, now the Head of Personnel Management); the head of Internal Audit and the Treasurer³⁶. This, no doubt, is a broad representative of those who matters in Local Government administration.

Local Government Service Commission: unlike the audit alarm committee whose membership cut across the broadest sections of the Local Government possible and, indeed, even overlap to state institutions such as Local Government service commission and the Local Government department in the Governor's office, the membership of Local Government Service Commission should neither represent the political class, any section of the Local Government, nor the State. It is made up of a maximum membership of five including the Chairman of the commission³⁷. What it lost in terms of broad membership, it made up for by its neutrality and membership maturity, experience and integrity.

Judiciary: highly trained and skilled personnel guarantee the impartiality of this, as machinery for managing relations between the political class and the career workers. Besides, appeal from one level to the other up to the Supreme Court is possible for those not satisfied with the judgments of the lower, middle or high courts. However, the ruling from the Supreme Court is the final arbiter from where no further appeal is possible. Above all, the role of the judiciary is constitutional guaranteed³⁸.

Although it is possible to argue that these institutional machinery for managing official relations, especially the audit alarm committee and Local Government service commission, apply to career workers mostly and not the political class, the combine efforts of the career workers can frustrate the political class who have electoral promises to fulfill and, therefore rendering them unelectable for the second term if they are lucky to survive the first term. The political class must therefore device means of cultivating healthy relationship with the career workers.

Intra-Institutional Machinery and its compositions:

Budgetary or Annual Estimates Committee: This comprises of the various heads of the departments within a Local Government – six in all: Departments of (a) Finance, Supplies, Planning, Research and Statistics; (b) Personnel Management, (c) Education, (d) Agricultural and Natural Resources, (e) Works, Land and Survey, and (f) Medial and Health. Of these departments those of (a) and (b) are supposed to be support department while remaining four are functional ones³⁹. In other words, the Heads of departments of Finance and Personnel cannot act independently of the Chairman vice-a-vice the Chairman. The two are interlocked by duties and must compulsorily relate. Other members of the budgetary committee are the executive and indirectly, the traditional council because the “Draft estimates of each Local Government Council should be sent to the office of the Traditional rulers well in advance for advisory comment within a reasonable time and such comments should be carefully considered by the Local Government Council. Thereafter, as a matter of courtesy, the Secretary to the

Local Government should inform the Traditional Council of the action taken by the Local Government on their views⁴⁰. Though budgeting or annual estimate, as is popularly known in the Local Government circle, is an annual event. But it is always characterized by series of pre-budgetary meetings that begin on the 1st of June of every year through circular and counter circular letters issued by the Executive committee and the Treasurer. These are forums that can be exploited by both the political class and the career workers to cultivate friendly relations⁴¹.

Local Government Security Committee: The composition of this involves the Chairman of the Local Government and his Secretary, the Director of Personnel Management the Head of the police units and the Traditional rulers⁴². There is no limit to the number of times the security meeting could hold and noting meaningful could be expected out of this if the stakeholders in Local Community are not in harmony. Thus, cross-sectional memberships of these Committees that overlap to other institutions within the community but outside the Local Government organization, provide excellent forum for ironing out whatever existing differences between the political class and the career workers.

Police/Community relations committee: The new addition to Local Government security outfit –Police | Community Relations – comprises (a) Local Government chairman as the chairman of the committee, (b) the vice-chairman of the Local Government as member, (c) president of the emirate | traditional council or his representative (c) the most Senior Police Officer in the Local Government Area. (d) one representative of the Christian Association of Nigeria, (e) one representative of Muslim Organization (f) president of the Hoteliers Association, (g) President of the Market Association (h) one representative of the non-indigenes Association, (i) two community leaders, (j) Secretary to the Local Government or his representative⁴³.

Three important ways of cultivating healthy relationship are mutual understanding, co-operation and co-ordination. Mutual understanding results from regular interactions. It presupposes informal gathering of political appointees, party administrators, Director of personnel management, heads of departments, heads of area councils and that of the units or outposts⁴⁴. It should be a forum devoid of formalities since formal relationship does not and cannot create the right atmosphere for meaningful nation-building. This is further corroborated by the entrance of Local Government system into the inter-governmental character of the country since 1979 and therefore a partner in the three-tier systems of government in the nation-building. Co-operation, another key element in the process of healthy relationship and the nation-building. Co-operation in this sense is conceptualized to mean consensus or near-consensus atmosphere. It does not in any way suggest compromise because compromise presupposes existence of dispute. Consensual meaning of co-operation is thus what is required to exist between the political class and the career workers at the local level. Co-ordination, in this trilogy, refers to the presence of a unifying force or apex authority⁴⁵. While acceptable rallying institution may be difficult to locate at the local level, a combination of them no doubt exists: the chairman of the Local Government, the leading traditional ruler in the locality, head of the security (police) unit and the religious leaders in the Local Government councils.

Conclusion

The relationship between the political class and the career workers is thus symbiotic. Neither can go it alone because they are united by what the goal of Local Government should be; though their approaches to it may differ. The political class is allocated the role of policy formulation while the career workers are responsible for policy implementation; it is worth noting that: Thought without action is meaningless and action without thought is foolishness. Both should be partners in progress.

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THE CRISIS OF ADMINISTRATIVE REFORM: AN ANALYSIS OF NIGERIAN LOCAL GOVERNMENT

MIKE ADEYEYE

Introduction

The concern for a sound and effective public administration is shared by most governments in Africa irrespective of their political, economic and cultural systems. This is evidenced by numerous and different initiatives taken from time to time by governments in the name of administration aimed at finding the proper means for making the public service more responsive to the challenging demands and increasing complexities of statehood and nation building.

Despite the concern shown, the actual measures to effect improvements have seldom been commensurate with what was needed and possible. The efforts made hardly brought about the desired fundamental changes that could have strengthened the administrative capacity of government. Several countries are still experiencing enormous difficulties in maintaining administrative systems capable of coping effectively with the changing needs of society. Much of the effort made is often wasted and there have been continuing frustrations (Bentil, 1984: 25&26).

In the Nigerian system, local government reform has become a routine matter largely because there has mostly been a lack of commitment to definite structuring principle to guide action consistently. To be emphatic, it is the reality that since colonial times, every succeeding government has tampered in one way or the other with local government. The number and frequency of the reforms have ingrained the system with confusion (Nyemetu, 1997:72).

From the aforementioned and with the benefit of hindsight, it is certainly legitimate to revisit the basic assumptions and problems underlying administrative reform of local government. Such a re-visitation compels a number of questions - What makes administrative reform succeed or fail? What precisely are the rationales of introducing administrative reform at the local government? To what extent can administrative reform be effectively implemented? And what are the constraints and consequences of the reform on the service? Essentially, therefore, this paper attempts to provide answers to these inter-related questions.

Conceptualising Administrative Reform

Scholarly literature on public administration refer to efforts at improving the administrative capability of the Civil Service as "administrative reform". Perhaps this explains why John Quah (1976:58), refers to this efficiency and effectiveness engineering in the civil service as "a deliberate attempt to change both the structure and procedure of the public bureaucracies involved in order to promote organisational effectiveness and attain national development goals".

In the same perspective, a major problem in the bureaucracies of developing countries is the issue of administrative reforms. The concept itself has been variously interpreted; but it has also gained much currency especially in matters pertaining to government and public administration. For example, Gerald Caiden (1969: 15), has distinguished between administrative change and administrative reforms. He sees administrative change as a self-adjusting response to fluctuating conditions and the need for it arises from administrative reform; which is "the artificial inducement of administrative transformation against resistance".

In the same vein, J. V. Abuevea (1966), stated that administrative reform can be viewed as "a deliberate step to use power, authority and influence to change the goals, structure or procedures of the bureaucracy and therefore to alter the behaviour of the personnel". It is only in this regard that administrative reform can be seen as seeking for improvement in, or creating good

administrative machinery. It also implied that administrative reform is done against the backdrop of a careful diagnosis that ultimately intends to mesh organizational patterns to task demands. This is the normative concept of administrative reform; and it will be naive to assume that all reforms have the good will, effectiveness and efficiency of the administrative system in mind.

Without doubt, the conception of administrative reform as a category separate from "change" has a number of problems. The first underscored the question of whether or not it is possible to distinguish, in real life, between changes in the administrative machinery, processes, and procedures and changes in the organization of the political executive organs. Is the dichotomy, which is itself based on the traditional conception of the separation between politics and administration, borne out by the administrative reforms experiences of many countries?

One way of distinguishing administrative reforms is to confine the use of the term to those reforms for the implementation of other kinds of reform (Caiden, 1969: 24&25). They would include proposal to (a) change collective purposes and goals, (b) alter the mix of resources, (c) transform attitudes and methods, (d) improve relationships and standards, (e) speed decisions, (f) rearrange patterns of authority and communication, and (g) achieve a higher level of efficiency, wherever human co-operation is involved and resistance is expected. This wide interpretation incorporates most uses of the term "administrative reform" currently employed. More importantly, it explains the persistence of administrative reform, the need of which will disappear only when perfection is achieved.

Admittedly, many of the so-called administrative reforms have implied immense changes in the structure and processes of political organs also (Leemans, 1976: 8). This in no way suggests, however, that there are no administrative reforms that have little or no political dimension. One may study such reforms, but such an attempt would miss many important elements. This study in any case, reviews administrative reforms that may be difficult to distinguish from political system reforms. So, while accepting the Dror - Caiden conceptualization as a working definition, there is a proviso however: our conception of administration is broad enough to include some elements of the political system.

Local Government

Before we delve into the rationale for local government service reform, it becomes expedient to make some clarifications. Fundamentally, local governments throughout the world are the same but there are two ways by which they can be discerned (Olowu, 1988). Local Government in a unitary system of government is different from Local Government in federal system arrangement or where multi-party system is allowed. Whereas in one party States, local governments are mere administrative units, while in the multi-party or federal state, local governments are not only administrative but also political units. In other words, they are treated as tiers of government. But, again, the problem with some federal states, especially those in developing countries is that, whereas they (Local Governments) are supposed to be political units, they are sometime, if not often, run as administrative units. Besides, in most federal states that we know except Nigeria, local government creation is exclusively the duty of the state governments but in Nigeria, before the introduction of the 1999 Constitution, it was the federal government that arrogated to herself the right to create local government, especially during the military regimes.

In the light of this, our definition of local government will be bifurcated into two: one, for the local governments in the unitary state, and the other for those in the federal states. The local governments in the unitary state may be defined as non-sovereign community possessing the legal right but which are essentially administrative agents of the central government. Conversely, the local governments in the Federal states may be defined according to the United Nations Office of Public Administration, "as one which is constituted by law and has substantial control over local affairs including the power to impose taxes or exert labour for the prescribed purposes. The governing body of such an entity is elected or otherwise locally selected" (Olowu, 1988).

To further enrich our knowledge of what local government is, the pertinent question is how can we justify the need for an effective local government service? Viewed from another

perspective, what are the rationales for the incessant reform of the system? And what are the reasons responsible for the failure of the system? This paper intends to address these issues.

Sequence of Administrative Reform Efforts

The history of local government administration in Nigeria has witnessed myriad of reforms. This makes a discussion of local administration in Nigeria a challenging intellectual endeavour. There are not less than five commissions that have been set up in Nigeria, which have directly or indirectly affected local government system.

These include:

1. The Eastern Region Reform, 1950.
2. The Military Reform of 1966.
3. The 1976 Local Government Reform.
4. The 1984 Dasuki Reform.
5. The 1988 and 1992 Reform.
6. 1995 Ayida Panel on Civil Service Reform

It is necessary to state that the pre-1976 reforms established by the regional governments to re-engineer the system lacked the required focus, as the military governments in power, then, failed to grasp the import of local administration in national development. Local governments were, to a large extent, perceived as administrative units for maintenance of law and order in their respective communities (colonial perception of local administration). The reform efforts, therefore, failed to comprehend the role that they could play as harbinger of development.

In the same perspective, the 1976 National Local Government Reform formally established local government as a third-tier of government (a political unit) with specific function and separate allocation from the federation account. Although the reform objectives were widely acknowledged as desirable; however, these objectives were badly implemented or not implemented in some cases as exemplified in the still-born Dasuki Report of 1984.

Likewise, during the 1988 Budget speech, the then President Ibrahim Babangida announced what he called "fundamental changes" in the federal civil service structure in order to revamp the ailing system (FGN, 1988: 7). The reform which was equally extended to the local government service, must have been informed by the generally low performance of the service, which is the main instrument for implementing public policies and programmes at that level. The major objectives of the reforms, among others, include: (Dotun, 1990: 6)

- professionalisation and specialisation in the service;
- combination of authority with responsibility;
- fostering accountability ;
- effectiveness, efficiency and speed of operation.

As such, at the local level, a deliberate attempt was made to remove the inherent contradictions in the local government service (quite similar to those observed in the federal and state's) so as to improve the capacity of the local government service to render effective, efficient and economical service to the people at the grassroots.

From the aforementioned, it is reasonable to indicate that the main fact that local government is constantly being reformed suggests that these exercises are not producing the desired results. Nor can we assume that the reform based on the 1995 Review Panel on Civil Service Reform has met the needs for civil service reform. The panel focussed on finding remedies for the problems created by the 1988 civil service reforms, therefore, its efforts were assumed largely negative, taking the civil service back to the situation before 1988 with slight amendments. Even though the White Paper on the Ayida Panel was released only in June 1997, its recommendations are dated in the light of current demands, especially of the democratic dispensation. Therefore as a review of reforms will show, administrative reform is among the most difficult transformation to achieve (Gboyega, 2000).

By and large, an analysis of the failure of the reforms point to the fact that the reform objectives in most cases are laudable, but the problems seem to be the actors responsible for implementation who have vested interest in the outcome of the process. These actors would in most cases prefer the status quo. The next section will examine the impact of corruption on reform failure.

Reform Failure: A Corruption Problem?

It is often problematic to define corruption in a way that is independent of the ethics or the normative values of the observer. This compels a number of problems in the analytics of corruption. Most scholars would concur that it is burdensome to attempt to define the phenomenon in a value free fashion.

However, the most important analytic problem is the difficulty of agreeing on what constitutes a corrupt behaviour. The literature distinguishes among political, bureaucratic, and economic corruption. But in reality, these three categories are no more than different manifestations of the same phenomenon. All manifestations of corruption are motivated by the desire to use the instrumentality of office for private-regarding gains for the benefit of the official, his relations, ethnic group or friends at the expense of the general good. This commonality of motives for the three categories facilitates an analysis of the phenomenon with the framework of the economics of exchange (Olopoenia, 1998:17).

From a not too dissimilar perspective, there are three basic definitions of corruption in the extant social science literature: the public-office centred, the market-centred, and the public-interest-centred definitions (Heidenheimer, 1998: 11). Each of these, on its own, has limited analytic usefulness. However, Khan (1996) espoused a more desirable definition, which encompasses all three notions of corruption where the phenomenon is defined thus:

Corruption is an act, which deviates from the formal rules of conduct governing the actions of someone in a position of public authority because of private-regarding motives such as wealth, power or status.

This definition avoids the problem of value judgement arising from an ethical definition. It permits the extension of the notion of corruption to its public-office, market-and public-interest-centre manifestations. Thus, it facilitates the analysis of corruption within the paradigm of administrative reform. This is important for any understanding of the phenomenon because the origin of corruption is located in the political and economic arrangements, which govern the organisation of society.

Moreover, an economic analysis of corruption in the public sector is based on the calculus of private wealth-seeking behaviour of public officials. The state possesses power to allocate right over scarce resources among competing private claimants. The more common and well-known sources of power of officials to create and allocate rights are:

- * government contracts;
- * government regulation;
- * distribution of government benefits;
- * citizens obligation to the state;
- * government control of the legal process;
- * contrived shortages of critical commodities and /or services (Olopoenia, 1998: 18).

However, these six categories are not exhaustive but they are more or less adequate examples of institutional and procedural arrangements, which often characterise the rent-seeking environment in government. While it exists in every society, corruption is entrenched and often systemic in many countries. This is particularly true of countries in which the political system is undemocratic or pseudo-democratic as in most countries in Africa. For instance, in Nigeria the Obasanjo's government effort to eradicate corruption is a case in point (The Anti-graft Bill, 2000).

Similarly, Jacob Van Klaren asserts that a corrupt bureaucrat regards his office as a business from which he is able to extract extra-legal income. As a result, the civil servant's total compensation "does not depend on an ethical evaluation of his usefulness for the common good but precisely upon the market situation and his talents for finding the point of maximal gain on the public's demand curve" (Klaveren, 1990; 26).

Likewise, most corruption in the public sector is the result of the adaptation of the existing institutions to a corrupt *modus operandi* "with bureaucrats and other agents (of the state)... following predatory examples of, or ... taking instructions from, their principals in the political arena" (Gray and Kaufmann, 1998:8). Since both the political and bureaucratic officials of the state have great discretion in creating and interpreting regulations, they can deliberately create counterproductive rules or distort productive ones in their interpretation and application of rules.

This discretionary power of political and bureaucratic officials of the state is a potent source of reform failure in any political settlement. It is what makes control over the state meaningful. It is the weapon of the dominant party in a non-democratic balance of powers. It is deployed by them to buy support in defence of their weak legitimacy. This is true of weak 'democracies' as well. In mature, entrenched democracies, the energies of the civil society are often directed to ensuring that such discretions are not used against the common good.

In Nigeria (with no such mature and entrenched democratic system), politicians and bureaucrats (both civilian and military) use the discretion of their offices to manipulate institutions to distort their reform efforts. Institutions like the local government for the development of agriculture and rural communities and those meant for the eradication of poverty and provision of social infrastructures, all of which are subject to discretionary power of agents of the state, often become dysfunctional for the promotion of development (Olopoenia, 1998: 24). Howbeit, they are transformed into instruments of cronyism, kin group obligations, extortion, employment patronage, personal accumulation and other forms of corruption. Such manipulation of state institutions invariably distorts and in most cases scuttles whatever reform proposals are put in place to reform the system.

Moreover, the distinguishing characteristic of a politico-economic environment in which corruption is endemic and systemic is that all of the aforementioned and perhaps others not yet identified are prevalent in such societies. In such situations, many of the techniques are employed simultaneously in specific corrupt transactions and by specific corruption networks. They often become so interwoven that distinguishing them in practice becomes a Herculean task for would-be-reformers. More so in Nigeria, corruption has become systemic and endemic such that this untoward phenomenon has eaten deep into the local government fabric, to the extent that every reform put in place to sanitise the bureaucracy and make it effective and accountable had been less successful.

At any rate, it is important to distinguish between political and bureaucratic corruption. While the latter involves efforts by civil servants to enrich themselves through illegal means, the former is used by political coalitions to capture the apparatus of state or maintain a monopoly on power. Political corruption usually includes activities such as vote-rigging, registration of unqualified, dead, or non-existent votes, and the falsification of election results (Goodman, 1990).

However, in Nigerian local government, many of the so-called administrative reforms have implied immense changes in the structure and processes of political organs also. As such, it becomes highly improbable to separate the two; they complement each other. One could not imagine an administrative reform blueprint whose implementation will be totally devoid of political undercurrents. At the same time, political dynamics are consequently a major factor influencing the administrative capabilities of a government. Most administrative development flows from a political decision.

All in all, in establishing the nexus between corruption and reform failure at the local government level, President Olusegun Obasanjo in May 2001, delivered his verdict at the launching of the campaign for good urban governance in Abuja, indicting the local government operators for lack of focus and indifference to the socio-economic needs of their people. He submitted that, "their governing styles had engendered so much cynicism that the federal

government is being warned that this may be a particularly difficult front for the war against corruption.” (*Tell*, May 2001:30).

However, when it comes to corruption at the third-tier of government, the President is putting the situation mildly. Nigerians have, for long, moved from ‘cynicism’ to indignation and outrage. Their verdict is more strident than the President’s and has resulted in heaps of petitions submitted to the state and federal legislatures, the inspector-general of police and more recently, the Anti-Corruption Commission, ACC, headed by Justice Mustapha Akanbi (*Tell*, *ibid*). From the aforementioned, the success or failure of administrative reform, to a large extent, would be determined by the level of corrupt practices that is witnessed at the local government level.

Concluding Remarks

An effective administrative reform programmes can be designed and implemented, but only if the reformer puts bureaucratic corruption in the right context. Unless it is understood that bureaucratic corruption is opportunistic (rent-seeking) behaviour and is related to the scope and extent of government regulation of economic activities, administrative reform programmes are unlikely to succeed (Mbaku, 1996). Likewise, if bureaucrats discover that they can earn more income from providing services to groups seeking state favours than from their regular (public) jobs, they may pay more attention to the demands of such interest groups than to proper enforcement of state laws and regulations and the effective implementation of national development goals. For example, in the Nigerian Local Government Service where compensation levels are relatively low, a significant part of the employee’s total compensation is presumed to be derived from engagement in outside activities, resulting in a significant increase in bureaucratic corruption. This practice invariably militates against efficient administration.

Likewise, reform failure occurs because people fail to live up to their cherished values when these are openly abused. For example, nothing is done when a citizen is tricked or a local government official fails to do his job properly. Through negligence, a different set of values becomes enthroned, and ultimate goals (national development) are compromised. More so basic to administrative reform, or any reform, is a sense of responsibility; people must really care. When they do, only problems that need solution exist. If the administrative reformer is to make an impact, he has to be aware of the total political and cultural configuration. It is not enough to convince an elite or rely on coercion alone. Reform requires voluntary response at all levels and, most especially, at the local government level where political awareness is relatively low.

Equally, achieving successful reformation needs high standard of leadership - political and administrative, sizeable commitment in terms of men, money, material and machines, creation of a conducive atmosphere for and co-ordination among all concerned; dedication, devotion and determination for improvement, short and long-term training, etc. Similarly, periodical and timely evaluation of the implementation of programme is essential. Periodical evaluation will help in correcting the flows and discrepancies not foreseen and for instituting appropriate measures for the purpose of attaining the objectives of the reform. Moreover, there should be some arrangement for hearing and redress of the grievances of the citizens against maladministration and machinery like the Public Complaint Commission could be set up in every local government area.

Attention should also be given to the achievement of highest ethical and professional standards in the local government service. Better service conditions, attractive pay, better prospects for promotion etc., will decidedly go to keep up the morale of the civil servants. Mobilisation of public opinion against corruption will do a lot to eradicate it. Deterrent action against persons involved in corruption will also help to solve the matter. For this purpose, the Anti-graft Commission should be strengthened and made more effective.

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LOCAL GOVERNMENT AUTONOMY AS STIMULUS TO ENHANCING ACCOUNTABILITY IN NIGERIA

OYENIRAN ADEDIJI

Introduction

The Nigerian Local Government is now desperately and frantically in search of its own autonomy. The 1976 Local Government Reforms led to the creation of 301 Local Government Area nation-wide and to the "formal and unequivocal recognition of Local Government as constituting a distinct level of government with defined boundaries, clearly stated functions, and provisions for ensuring adequate human and financial resource¹". Subsequent reforms carried out in 1988 took Local Government further along the path of autonomy by abolition of the Local Government Ministries and by direct grants of the Local Government statutory allocations from the Federal Government coffers. According to Babangida in October 1988 National Day Broadcast: "We intend to consolidate the achievements made so far by devolving responsibilities to Local Governments and allowing them some autonomy to function effectively as the third tiers of Government which is truly local to the environment".²

Mr. President went further to stress that:

"...Local Government will continue to be given the necessary freedom and autonomy to operate within the ambits of the Constitution, not as a mere adjunct to the states but as truly coordinate and effective level of Government".³

To prove that the promised "more autonomy" was not a mere political propaganda the 1992 budget speech of Mr. President announced the "immediate" increase in Local Government share of revenue from the Federation Account from 15% to 20%. These reforms have served as appetizing toast which encouraged and incited Local Government into consciously or unconsciously adopting the comportment which has earned Oliver Twist³ a world-wide fame: always asking for more.⁴

Since the implication of this topic is that there exist some fundamental barriers and limitations to Local Government autonomy and that by overcoming these barriers performance accountability would be facilitated, the objective of this paper is to move from a brief analysis of those barriers and limitations into analysis of such strategies and tactics by which such problems could be overcome.

Conceptual Clarification

The concepts, which would be clarified in this paper, include:

- Local Government
 - Barriers to Local Government autonomy.
- (A) Local Government: Local Government was defined as:
"Government at local level exercised through representative councils established by law to exercise specific functions and powers within defined areas...5a"
In this context, Local Government would be defined as did Montague H.
"Government by local bodies, freely elected, which while subject to the supremacy of the national (or state) government are endowed in some respect with power, discretion and responsibility which they can exercise without control over their decisions by higher authority"
- (B) Barriers to local government autonomy are basic and important factors, conditions, and circumstances which hinder and limit the progress of local government along the path of autonomy.

- (C) To overcome is to gain superiority over (something) to get the better of. To render less dangerous.
- (D) Autonomy is a concept of immense significance both in theory as and in practice, yet the, term resists easy description and lacks universal agreement on its meaning or methods.

With these concepts now clarified we proceed to analyze the barriers. Autonomy is the power and authority of a Local Government Council to determine the course of its own actions or inactions and to bear consequences for the same. It implies existence of some areas over which Local Government is given indulgence and free hand to operate. An autonomous Local Government is supposed to have power and authority to direct its own affairs without interference from higher levels of Government.

Barriers to local government autonomy an analysis: There are 5 fundamental barriers⁶ standing on the way of Local Government autonomy.

1. The first barrier is the lack of consensus on the exact meaning, nature and extent of the autonomy in question. To what extent should Local Government be autonomous of the Higher Levels of Government? Should the autonomy of a Local Government rule out the possibility of suspending from office a Local Government Council boss for allegedly constituting a cog in the wheel of the transitional programme as was said to be the case of a former chairman of the Enugu Local Government Council, Dr Sam Orji⁷? Does it rule out close monitoring of Local Governments in Nigeria following what Adediji regarded as a blatant display of power and gross abuse of autonomy⁸ on the part of Local Government Councils during the regrettable six months abrogation of the Local Government Service Commission? Should the autonomy be total and absolute over questions of spending public money without regards to procedure laid down by higher levels of Government? What measure of control, if any, on Local Government Councils are necessary, normal or abnormal? The fact that the above questions cannot receive unanimous answers of policy makers remains therefore a fundamental barrier to Local Government autonomy in Nigeria.

Secondly, the Paternalistic comportment of higher levels of Government The autonomy of a Local Government Council will be limited by the decisions of the central organ of the party in power (representing the state) in civilian administration or by the will and wishes of the Head of State in a military regime. The present paternalistic comportment of the higher levels of government is largely a product the military system of Government, which until recently Nigeria has been running since the early years of her independence. The Head of state who is the commander in Chief of the armed forciers was hierarchically superior officer to the state governors who again were hierarchically superior officers to the chairmen of local government councils. Because of the hierarchy of command structure in that system they could not disagree with, not to talk of disobey, the Federal Government even on issues in which states had power to act. By that system, command and obey was the accepted norm and its was a treason to challenge, or refuse to obey, the central command structure. The civilian administration, which took over from the military continue this pattern especially since the governed masses approve of it by inaction.

Thirdly, Nigeria is a country of great political instability. Having survived innumerable number of coup d'etats and attempted secessions, Nigerian authorities find it difficult to allow Local autonomy to get as far as to Local independence and secession. In fact, the generality of the people of Nigeria believes and insists that "to keep Nigeria one is a task that must be done". For this reason the need for a veritable and powerful centre to wade of attempted secessions and forces that threaten national unity has been preached and generally accepted. It is a fact of universal recognition and acceptance that "when a state is no longer strong, it becomes weakened and the autonomy of its units quickly transforms unto independence⁹. It is also a fact of common historical observation that when the central Government is weak, disorder and anarchy set in". The disappear of great empires like Egypt, China, Roman Empire etc are traceable to the weakness of the central power¹⁰. Therefore a country like Nigeria regards it as a wise and critical option to avoid granting to its units a measure of autonomy which may be

exploited by those who for selfish reasons want Nigeria to break up into nucleus countries. The experience of the civil war provided the Federal Government excuses to strengthen itself against the states and to strengthen the states against local governments.

Fourthly, a fundamental barrier to Local Government autonomy is the financial dependency of the Local Government Councils. It is an incontrovertible fact that except a few Local Government councils, our Local Governments Councils cannot pay staff salaries without going cap in hand for financial grace from the higher levels of Government. In fact no Local Government in Nigeria can boast of sourcing 50% of its revenue internally¹¹. This is due to the fact that Local Government Council mostly lack sources that yield tangible revenues. Worse still, those who have resources fail to tap them. The ever-present cases of financial mismanagement and financial misappropriation at the Local Government level which made an author to refer to that institution as fortress of corruption¹² drains away their already insufficient resources. Consequently the higher levels of government who often pay the piper insist on dictating the tune, and the idea of Local Government autonomy is most often thrown to the wind, even by needy Local Government Councils. Thus for now "it would make nonsense to talk of autonomy where council areas continue to depend heavily on federal and state allocation to finance the budget¹³.

Fifthly, another fundamental barrier to Local Government autonomy is what we earlier on called Local Government as barrier to his own autonomy". This arises out of the fact that Human Relations inter and intra Local Government leave much to be desired. Internally the relations in Local Government Councils is best described as "one of actimony and antagonism in conflict rather than partnership enterprises¹⁴. Everywhere you find rancor and bitterness arising from political social reasons. Losers in an election find it difficult to forgive the winners as witnessed not long ago in Abeokuta Local Government Council, of Ogun State Oranmiyan Local Government Council of the then Oyo State¹⁵. Added to this politically motivated conflicts are the Cultural ones having to do with lobbying culture, matrimonial causes, greediness, selfish privatization of lion share of council resources. This internal conflict become added to intra-Local Government conflicts which arise as a result of territorial ambition of some Local Governments to "colonize" the territories of other Local Government Councils as was once witnessed in Ika Local Government of former Bendel State and Amiocha Local Government. The same was experienced in the Old Oyo State between Atakunmosa Local Government and Ifesowapo of Ondo State and was witnessed through out Nigeria.

This inters and intra Local Government council's conflicts usually lead to the call for intervention of federal and states governments. The higher levels of Government set up panel of inquiry. Consequently the autonomy of such local Governments become mortgaged and cheaply too.

Conditions for More Autonomy and for Improved Performance Accountability

There are several basic conditions, which could jointly and severally bring about increase in the measure of autonomy granted to, and enjoyed by, a local government council. The principal ones, which would attract our attention in this paper, include: Effective conflict resolution mechanism, Self-sufficiency in resources, Local Government functionaries' knowledge of the law and legality of actions.

1. Institution of an Effective Conflict Resolution Mechanism

For Nigerian Local Government to achieve and retain a bigger measure of autonomy, it is important that an effective internal conflict resolution mechanism be devised. Conflict is a constant phenomenon in all-human societies without exception, and according to an author: "There is only one place in this world where people don't disagree: it is the cemetery¹⁶".

This is because cooperation and conflicts are two complementary sides of human nature and it is around these two traits that an average human being's comportment oscillates, most often unconsciously. A local Government composed of human beings can therefore not expect cooperation and agreement among its members all the time.

Being a distribution centre for social and economic services that are always in short supply relative to demand, those Local Government officers in charge of distribution would sometimes

fall into the disfavour of recipients of those services who perceive the officers as discriminatory, or partial in the distribution exercises. Since Local Government officers are representatives of their ethnic, regional, social or professional groups of belonging, there would always be tendency for them to be pushed here and there by those who feel that the officers "have not done justice" to their own group of belonging in the allocation of scarce resources, or in the applications of bye-laws. If the officers in question discriminate against other groups, victims of such a system would not find it easy swallow. Consequently internal conflicts would ensue, even unintentionally. Inevitable as conflict may be in human societies, inability or failure to ensure an effective mechanism for resolving such internal conflicts is the surest way by which external forces penetrate into the internal affairs of any organization, local government inclusive, either by invitation or by "duty". Institution of internal conflict resolution mechanisms would remove or reduce penetration of external forces into the internal affairs of Local Government Council and consequently block the pipe through which autonomy of Local Government is drained. When the institution of an effective conflict Resolution Mechanism has led to upward movement of Local Government autonomy performance accountability would, all things being equal be facilitated.

2. Knowledge of the Law Legality of Actions

First of all, Local Government itself is a creation of the status or law. The autonomy of Local Governments will therefore depend on the knowledge of the laws concerning limits of their powers and responsibilities as well as their rights under the law. If Local Government functionaries have a fair understanding of the law and perform their official functions strictly on legality, the autonomy of Local Government Councils could thereby be enhanced. The basic idea is that absence of the knowledge of law and illegality of official actions of Local Government functionaries is, or could be, responsible for little or no progress of Local Government along the path of autonomy.

A lot of external interventions in the internal matters of Local internal government are brought about by increasing volumes of allegations of authoritarian attitude, high degree of arbitrariness, brutality, abuse of powers and authorities, which lead to call for external interventions before local masses and even some Local Government functionaries get such maladministration reviewed or obtain favourable reports, or get remedy for evident injustices. Such people consider interventions of the State Government and/or of the Courts as a means of protecting them selves against the internal tyranny and oppression. When strict compliance with legality of actions or refusal to act of Local Government Council performance accountability would all things being equal be encouraged.

Moreover, functional relationships exist between compliance with accounting and financial procedures, i.e. procedural laws, accountability, and Local Government autonomy.

It is a feature of government based on the principle of democracy (as distinguished from government based on the principle of absolutism) that laws, rules and regulations and procedure be laid down to guide the conduct of public officers. Since public officers are not expected to base their actions and omissions on personal whims and caprices, rules, laws, regulations and procedures are designed and laid down. It is the existence of such rules, laws regulations and procedures, which justifies occasional call on such officers to render account and to bear consequences for non-conformity. According to Hobbes schools of thought¹⁷, "the performance of covenants may be reasonably expected if there is effective provision for detecting and punishing non-conformity". Strict compliance with accounting and financial procedures becomes a prima facie evidence of probity and accountability.

According to Machiavelli¹⁸, The world judges a person most often by appearance rather than by reality. This is because most observers draw conclusions from what they see or hear, unable or unwilling to make further efforts to go into reality.

A local government council operating on strict conformity with accounting and financial procedure would be assumed to be in order. Once this good image of a local government council is built, further attention to detail as to correctness of such accounts may not be regarded as necessary. Thus such a local government council, until the contrary is proved, operates on probity and accountability.

Strict compliance with accounting and financial procedures is the first step towards probity and accountability. It is also a sine qua non of sound financial management. Conversely, violation of or non-respect for accounting and financial procedures is a forerunner of financial mismanagement and a slap on the face of probity and accountability. It is also a label and / or a sign of evil intention with respect to financial matters.

According to Adediji, O.,

"a lot of external interventions in the internal affairs of local government councils are brought about by constant allegations of violation of financial regulations and procedures" ¹⁹.

When a Local Government Councils give the impression of behaving like infants in the management of their financial resources they hold in trust for the people, they become militarily regimented, strictly controlled, remotely teleguided and occasionally pushed here and there by the "Settlor": the Federal and State Governments who have entrusted the resources to Local Government for the benefit of Local inhabitants. Thus local government autonomy becomes threatened and eroded. When Local populations also learn of improper management of accounting and finances of the Council, they become hesitant to pay levies and rates, which form a major source of internally generated revenues. Consequently, the local government councils become the more dependent on the higher levels of Government for fund they need. Since whoever plays the pipe dictates the tune. "the more the degree of local governments financial dependence on the Federal and State Governments, the less would tend to be the degree of autonomy which local governments would be left to enjoy" ²⁰

Conversely, When local populations realize that their local government functionaries handle the accounts and finances of the councils according to laid down procedures, there could be such esteem for the local governments, to the extent that the local masses would feel the need for more autonomy for their councils.

3. Self Sufficiency in Resources

The autonomy of Local Government can be improved if each Local Government Council adopts a policy of self sufficiency in resources. This implies exploration and exploitation of all available resources that can bring tangible revenues and by managing such resources wisely and in a way that the present trend of heavy dependence of Local Government on Federal and State Government could be reduced drastically or reversed. Autonomy of Local Government would be much more easily demanded and would be much more easily granted when and if local government councils show evidence and guarantee of self-sufficiency in indispensable resources. Local Government councils that wants to ask for more autonomy needs to prove that it deserves it and not merely demand it: ability to stand on its own through self-sufficiency in resources is a justification not only for demanding more autonomy but also for deserving it.

4. Prudent Financial Management

Prudent management of revenues of Local Government Councils could encourage ratepayers to pay rates etc., which would swell up the revenues of Local Government Councils. Wide publicity of executed projects at the Local Government Council areas and of problems confronting Local Government Councils especially such problems, which serve as barriers to better performance, would be useful and effective strategies in projecting and portraying good image and durable reputation of Local Governments Councils. Such image and reputation could serve as factors, which could motivate the residents of Local Government Councils areas to participate actively in measures capable of making such councils to have more autonomy. Efforts of Local Government Councils along acquisition or improvement of high calibers of human resources would be right path towards more autonomy.

Training programmes for and judicious management of human resources within the Local Government Councils would also be a highly effective strategy.

Conclusion

The paper identified and analysed a couple of fundamental barriers and limitation to L.G. autonomy in Nigeria. These include problems of definition of autonomy in question, the ever constant paternalistic comportment of higher levels of government - fear of possible abuse of

autonomy by Local Government Council, financial dependency on higher levels of government and acts/omission of it which inadvertently blocks its own autonomy. The paper also analysed condition for more autonomy especially institution of on Effective conflict resolution mechanism to solve inter and intra Local Government conflicts, knowledge of the law and legality of actions of Local Government Council including strict compliance with legal of financial provisions, self sufficiency in resources of Local Government Council.

Foot Note

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15

GOVERNMENT BUDGETARY PERFORMANCE IN NIGERIA: ITS IMPLICATIONS ON ECONOMIC DEVELOPMENT

OGUNTEGBE, ABRAHAM ADEWALE

1.0 Introduction

The word “budget” has become a household name in Nigeria. This is evident from the fact that at the beginning of every new year (January in particular), most people – businessmen, industrialists, farmers, government workers and market women among others, are always anxious to know what the Federal Government budgetary pronouncements for the new year have in store for them. This awareness became more pronounced with the emergence of the economic depression in the early 1980s.

During the military regimes of 1983 to 1999, it was the usual experience that businessmen and market women would sometimes stop selling some types of manufactured goods or even increase their prices, pending the presentation of the annual budget by the Head of State. Thus, the primary importance of the budget as an instrument of planning and control has created an enthusiasm in many people such as academics, industrialist and civil servants to write on the topic.

This paper identifies the role of the budget in the Nigerian economy, and examines the budgetary performance of the Federal Government of Nigeria especially between 1979 and 2000. This period has been chosen because it spans through both military and civilian regimes. It also discusses the reasons for the phenomenal persistent and increasing budget deficits in Nigeria, the consequences of such deficits and proffered solutions to ameliorate the menace.

2.0 Meaning of Budget

The word “budget” means proposals of future activity. In other words, they are prepared in advance of activity. A budget has been defined in many ways according to the purpose and background of the authors. According to Wildavsky (1975), it is “the attempt to allocate financial resources through political process”. Another authority, the Chartered Institute of Cost and Management Accountants also defined budget as “a financial and/or quantitative statement, prepared prior to a defined period of time of the policy to be pursued during that period for the purpose of achieving a given objective”.

From the aforementioned, one can say that budgeting is a process by which a government formulates its goals and objectives for the fiscal year, establishes priorities for the use of scarce resources, mobilizes and allocates resources among specific programmes and activities, identifies policies and operational modalities to implement programmes and projects efficiently and provides for an evaluation of results in relation to objectives, targets, and utilization of resources. Viewed this way, the government budget is a central tool for national economic management. It is a key instrument by which a government gives expression to its financial policies, project and programmes designed to achieve the overall aims of government policy.

In business organizations both public and private, the role of budgeting cannot be downplayed. A budget is an evaluation of the intentions of an administration. Every individual, company or government plans ahead a spending programme in order to keep within a deficit or credit limit. A budget is therefore seen as an instrument of planning and control within a particular organization.

The Federal Government of Nigeria prepares annual budgets. The budget is prepared for internal control of the economy. The good intention for preparing the budget is to improve the effectiveness and efficiency of an organization or the economy. Despite the fact that these budgets are prepared, the performances of many of them are still far short of expectation.

Budgeting should be a means of correcting errors and not producing or worsening them. Once a budget is drawn, its implementation should be properly monitored in order to achieve the purpose for which it is prepared. Apart from having a plan for reconciling expenditure with resources, a budget provides a basis for policy-making; serves as an aid for carrying out whatever policies exist and are already adopted.

3.0 The Role of the Budget in Economic Management of a Country

Broadly speaking, a budget serves three main purposes.

Firstly, it serves as a tool of accountability, in the sense that the government agencies are responsible for the proper management of funds and programmes for which funds are appropriated;

Secondly, it is a tool of management because a budget as an operational document specifies either directly or implicitly the cost, time and nature of the expected results;

Thirdly, it is an instrument of economic policy. In policy terms the budget indicates the direction of the economy and expresses intentions regarding the utilization of the society's resources. In operational terms, it leads to the determination of the national growth and investment goals and in more detail, with the allocation of resources among consumption, transfer and investment outlays and among sectors.

The budget of a government is the most powerful instrument of economic and social policy. The effectiveness of any government budgetary system has to be measured mainly by the extent to which it performs this basic function. However, in order to perform this primary function the budget has to cope with five other subsidiary roles: the budget as a tool of planning and control, motivation, evaluation, co-ordination and communication.

4.0 The Budget Cycle

The whole process of budget cycle out of which stems financial control clearly involves two processes: "budget preparation" and "budget execution". Under "budget preparation" are considered the following:

- (i) *The Form of the Budget:* This deals with how the estimates are analyzed and related to the costs and quantities of goods and services to be expended or produced, and whether the project is prepared in a form which shows what these underlying plans and assumptions are;
- (ii) *The Method of Preparing the Budget:* This borders on how the estimates are prepared, assembled, if necessary revised, and finally adopted by the supreme government body.
- (iii) *The Relationship of Budgeting to Policy-making:* This deals with how the budget is used in settling or reviewing policy, both in the course of its preparation and after it has been adopted. In general terms, budget preparation is guided by certain principles which include the following:
 - (a) The functions, roles and objectives of the organization;
 - (b) The priorities of the organization;
 - (c) The past and present (economic, social, political etc) realities;
 - (d) Availability or likelihood of availability of financial resources; and
 - (e) The budgeting system to be adopted.

"Budget execution" deals with the following:

- (i) *How Budgetary Control is Applied:* The extent to which the budget sets a pattern to which the organization is expected to adhere, and the arrangements there are for alterations after it has been approved
- (ii) *Comparisons of Actual Results with the Budget:* This is how comparisons are made and what actions can be taken as a result.

5.0 Budgetary Performance of the Federal Government of Nigeria.

The nation's budgets (between 1979 and 2000) were predominated with huge deficits (See Table 1). In its simplest form, budget deficit refers to a situation where the overall aggregate expenditure exceeds the aggregate revenue. Apart from 1979, 1995 and 1996 when there were budget surpluses which amounted to 3.4, 0.1 and 1.3 per cent of GDP in 1979, 1995 and 1996 respectively, there were unsustainable deficits in 1978, 1980 up till the year 2000. Fiscal authorities resorted to both internal and external borrowing to support the high expenditure profile. This has in some ways contributed to Nigeria's external debt burden. Nigeria's external debt stock rose persistently from N1,611.5 million in 1979 to N3,121,725.8 million in 2000. The deficit levels fluctuate between 0.2 and 15.5, though they hover around the lower bound.

The trends in macro-economic aggregates such as the GDP growth and inflation clearly pointed to the relatively high degree of macro-economic instability experienced in Nigeria from 1982 to date. Nigeria's real GDP (at 1984 constant factor cost), estimated at about N96 billion in 1980 declined persistently in 1982 to 1984 by 0.3, 5.4 and 5.1 per cent respectively. There was appreciable recovery as from 1988 as a result of the adoption of SAP, as the real GDP grew to 9.9 per cent as against - 6.1 per cent in the previous year. This rate however declined sharply in 1994 to 1.3 percent and continued moving sluggishly to 3.8 per cent in the year 2000. (See table 2). The real GDP growth rates generally over the period under review are very low. Apart from 1988, 1989 and 1990 when they are 9.9, 7.4 and 8.3 per cent respectively, all other years experienced growth rates below 5.0 per cent.

Between 1991 and 2000, the GDP per capita varied slightly between N1069.0 million in 1991 and N1044.8 million in 2000.

The Human Development Index (HDI) is also very low. It was 0.328 in 1991, slightly increased to 0.402 in 1995 and stabilizes at 0.400 as from 1996 to 2000. Furthermore, available data (see table 5) showed a very low performance of Federal Government in the area of education and health. Between the period under review, the highest percentage of total federal expenditure on education was 14.9 in 1994. For instance in the year 2000, the expenditure on education represented 1.5 per cent of GDP and accounted for 8.7 per cent of total expenditure. For instance, Ghana allocates an average of 20.0 per cent of total expenditure to education yearly. On the other hand, expenditure on health care services accounted for 2.7 per cent of total in the year 2000 and this accounted for 0.6 per cent of GDP. Again this performance is below the average for developing countries and the prescribed 5.0 per cent of GDP minimum standards by World Health Organization.

Between 1979 and 2000, the proportion of the total Federal expenditure on healthcare services has been very insignificant. Looking through table 5, the percentage varies between 0.6 and 5, with majority of the rates hovering around the minimum level. This is also far below the minimum level prescribed by the World health Organisation (See table 5).

Trends in inflation also suggested relative macroeconomic instability during the period. Inflation rates exhibited high cyclical trends rising from 11.8 per cent in 1979 to 50.5 per cent in 1989. This rose to 72.8 in 1995 reflecting largely the lagged impact of fiscal indiscipline. Thereafter, inflation rate started falling persistently until it remained a single-digit of 6.6 and 6.9 per cent in 1999 and 2000 respectively (see Table 2).

The lending rates showed a more disproportional increase with 7.7 per cent in 1979 to 36.10 percent in 1993 and stabilized at 21.30 per cent in 1999 and the year 2000. The high lending interest rate of over 20 per cent tended to serve as a disincentive to borrowing. How can entrepreneurs be expected to borrow at over 20 per cent interest rate for profit rates that hover around 20 per cent to 25 per cent?

6.0 Budget Design and Implementation in Nigeria.

The apparent failure of most of the previous budgets to uplift the Nigerian economy to any significant extent provides prima facie evidence of lapses in the design and implementation of the budgets. The causes of the predominantly poor economic performance of the Federal government of Nigeria are as follows:

(i) *Governance:* This factor can be considered in several ways.

First, over the years, there have been political crises and instability with consequent effects on financial risk from the point of view of investors (internal and external), vandalization of public utilities, and frequent changes in government programmes and policies. The policy inconsistencies for instance, have adversely affected the budget implementation in Nigeria.

Second is the delay in the passage of the budget, and/or inadequate release of funds for capital expenditure. These pitfalls have characterized the preparation and implementation of budgets particularly in the present civilian regime. For instance the year 2000 Appropriation Bill was not approved until almost mid-year and less than 30 per cent of the capital vote was released during the year. In like manner, the Appropriation Bill for the fiscal year 2002 was not passed into law by the legislature even as at August, 2002 of the same year! This act would definitely hinder the effective implementation of the budget.

Third is the level of transparency and accountability in the system. A major problem with the military governments (1984-1999) was the prevalence of a culture of profligacy arising from the low levels of accountability that characterized most of the regimes. In the early days, the military had proved that it could run the country with balanced budgets. This means that it could cut its coat according to its cloth. Remarkably, it was able to prosecute the 30-month civil war without recourse to any external loan. That period was when agricultural products constituted the major revenue earner in Nigeria. But following the huge windfall of petrodollars in 1973/74 arising from the sharp increase in the world market price of petroleum, the fiscal discipline that had characterized the earliest days of the military rule began to wane. Thus, in the face of unexpected and unprecedented oil wealth, traditional discipline deserted the military. Scandals of all sorts rocked the establishment. Corruption became widespread just like harmattan fire.

On the other hand, the civilian regimes have not been any better off. For instance, in the Second Republic (1979-1983) when the civilians eventually got another taste of power under the presidential system of government, frequent excursions were made to the international capital market; great mansions were purchased in notable cities of Britain and the United States of America by the politicians. Massive looting of the public coffers occurred, and also, corruption of various sorts continued unabated. While the military left a total of N2.6 billion in Nigeria's external reserve, had no short-term debt but had a medium-to-long-term debt of a little less than N9 billion, when it relinquished power in 1979, the situation when the civilian administration was sent packing in December 1983, was one in which a total debt of over N32 billion had been accumulated despite earnings of about N45 billion from petroleum exports between 1979 and 1983.

Fourth is the technical and managerial incompetence of public officials. The "whom you know" factor or "quota system" factor in most cases throws merit into the thin air, in appointing people into various posts. As a result, performance will definitely be far below expectation.

Fifth, there is also the problem of extra-budgetary expenditures. There are persistent spendings and continuous growth in recurrent expenditures at the expense of capital spending. Recurrent expenditure takes and does not return to the system, but productive capital spending provides returns on investments and therefore, effectively services recurrent expenditures. For instance in 1988, there was the introduction of the Structural Adjustment Relief measures and the salary review after the budget for that year had been prepared. Also, there was a sudden quantum increase mid-way through the year 2000 in salaries and wages of public officers, which led to a significant increase in the recurrent budget of the year far above the projected vote for that purpose. The effect of this is a distortion in the original budget.

Sixth, there is the inability of the relevant agencies of government to carry out monitoring of on-going and new projects and programmes the budget was to finance.

Seventh, there has been the tendency to have an exaggerated view of expected revenues and incomes, while estimating costs.

(ii) *Slump in the global oil market:* In the early 1980s, the proceeds from crude oil started dwindling as a result of the steady decline in the world market price of oil and production quota of Nigeria's crude oil. For instance, in early 1986, the international oil market actually collapsed as the price of crude oil hit \$5.00 per

barrel compared with the target price of \$25.00 used in budget production for that fiscal year (Okunroumu, 1996). Also, at the beginning of 1998, the average selling price of crude oil was US \$16.17 per barrel. This dropped steadily during the year and by October 1998 the realizable price was US\$12.8 per barrel. The price in January 1999 was less than US\$11.00 per barrel (Abubakar, 1999).

- (iii) Structural Imbalance. Since the oil boom of the early 1970s, one prominent aspect of structural imbalance in Nigeria has been the dominance of the oil sector vis-à-vis the non-oil sector. For instance, between 1997 and 1999, the oil sector accounted for about 70 percent of government revenue and 96 per cent of export earnings. This mono-product nature of the economy is a great problem. Once the only major source of revenue which is crude oil is in crisis, Nigeria always finds it difficult to get a place of refuge.
- (iv) There is poor planning, poor database, inadequate executive capacity for executing public sector projects, absence of project manual and poor monitoring and control (Gali, 1997).
- (v) There is non-competitiveness of the production system in world markets especially in terms of quality, quantity and prices. The production base is also weak, this arising largely from a poor technological base. The absence of indigenous innovations and technological mastery means that imported technology cannot even be successfully adapted.
- (vi) Overdependence on externally driven solutions to Nigeria's economic problems. For instance, there is a high level of dependence on foreign loans beyond the capacity of the government to provide counterpart funding for such loans. This dependence predates the external debt overhang problem, which has been lingering since 1982, and the consequent need to meet external debt service obligations (See Tables 3). Government policies have tended to tally with those normally prescribed by the IMF and the World Bank for the less developing countries including Nigeria.
- (vii) There is the low value of the naira in the face of an import-oriented production system, coupled with high lending rates and the energy crisis in the petroleum sector.
- (viii) Gross deficiency in infrastructural facilities. As a result of this, most firms have to provide back-up facilities on virtually all kinds of infrastructure such as electric generators and water boreholes. This tends to increase the cost of production. Poor infrastructural facilities most often inhibit production of goods and services.
- (ix) Falling investment-GDP ratio. This fell from an average of 25 per cent during 1975-1979 to 18 percent during 1980-1985, and to less than 6 percent during 1995-1999. This fall is an indication that Nigeria has been de-industrializing. The de-industrialization process can be accounted for by the failure of policy to correct the distortions in the patterns of returns between manufacturing and commerce; shortage of long term funds in the financial system; and pre-occupation of government on external debt obligations at the expense of public sector capital formation (Taiwo, 2001).
- (x) High debt servicing burden. A substantial part of the budget is used in servicing debts. The amounts used in servicing debts keep on rising (see Table 6). This hampers effective implementation of the budget.

7.0 Consequences of the Budgetary Performance on the Economic Development of Nigeria.

The Federal Government of Nigeria usually prepares the annual budgets in order to be able to achieve certain objectives. These objectives are stated in the budget and they serve as reference points for the government especially in the preparation and implementation of the annual budgets. The objectives are normally directed at achieving economic development in Nigeria especially during the fiscal year. However, the achievement of this overall objective is determined by the budgetary performance of the government. Meier (1978) defines economic

development “as the process whereby the real per capita income of a country increases over a long period of time subject to the stipulations that the number of people below “an absolute poverty line” does not increase, and that the distribution of income does not become more unequal”.

In considering the implications of the budgetary performance in Nigeria, the trends in the real Gross Domestic Product (GDP) Growth Rate, GDP per capita, and Human Development Index over the years are examined.

These three factors are used in the analysis as indicators of economic development. Since 1990, the United Nations Development Programme (UNDP) has been presenting the measurement of human development in terms of Human Development Index (HDI) in its annual Human Development Report. Thus, the HDI is a composite index of achievements in three fundamental dimensions: a long and healthy life, knowledge and a decent standard of living. In Nigeria, the budget results have been characterized by huge and persistent fiscal deficits. These, no doubt, have produced unpalatable impact on the economic development of Nigeria. These consequences include the following:

- (i) Deficit budgeting, which makes the Nigeria’s economic development environment unsuitable for attraction of foreign capital.
- (ii) There is loss of confidence in the economy by the creditors. Additional loans for investment cannot be granted by the creditor nations as they use our budget performance to assess ability to pay.
- (iii) Instead of the economy attracting capital and new investment, continuous deficit causes a drift of capital i.e. capital flight.
- (iv) Continuous budget deficit leads to continuous bastardization and devaluation of the naira.
- (v) As a result of the bad economic management there is untold hardship and abject poverty in the society. Problems such as severe unemployment, high rate of inflation, retarded economic growth and various social ills are very common.
- (vi) Poor budgetary performance has led to the economy contracting rather than expanding and therefore the achievement of the objectives of growth, economic development and stability in the economy has been proving elusive

8.0 Recommendations

- (i) A major issue on budget preparation and implementation is governance. In this paper, governance is considered according to the World Bank, as the manner in which power is exercised in the management of a country’s economic and social resources for development. One of the socio-economic and institutional objectives of the 2000 Budget was “to promote probity, transparency, and accountability”. Yet, Nigeria is still facing the problem of widespread corrupt practices today. Federal Government has responded to this problem by passing the anti-corruption bill and setting up the anti-corruption commission. However, doubts have been expressed concerning the possession of the political will to implement the bill. Corruption, indolence, wastage and bureaucratic red-tapism must be discouraged. Probity, efficiency and integrity in the use of public fund must be promoted. The leaders should serve as good examples to the governed.

Apart from corruption, another issue to be seriously addressed on the government side is the technical and managerial incompetence of public officials. The government effort needs to be complemented by pressures from the civil society. This means, in essence, that non-governmental organizations have a role to play to ensure that democratic institutions continue to develop and also that public officials are competent, transparent and accountable. The government should observe accountability and strict compliance with budgetary provisions. The battle against the social vices by the government should continue unabated. There should be a re-orientation of the societal values against corrupt practices, wasteful spending and accumulation of wealth from dubious means. This re-orientation should come through good

governance of the political leaders who should strive to lay good examples for the governed. The trust and hope reposed in the leaders by the governed by electing them into the various posts should not be let down but upheld by these leaders. In other words they should live up to expectation and challenges.

The Federal Government should address the areas that could bring investors' confidence and, thereby attracting investors, both foreign and local, into the economy, such as trade liberalization and realistic exchange rate. A conducive environment for investment should be created, such as rehabilitation of existing infrastructural facilities and adequate security of life and property. There should be provision of adequate operational equipment for the security agencies to enhance their performance in the maintenance of law and order.

- (ii) The revenue base should be diversified. Revenue should be boosted from non-oil sources such as agricultural commodity export. The tariff structure and revenue generation drive should also be adequately addressed. Trade should be promoted both internally and externally, in a move designed to encourage private participation in productive activities, enhance export earnings so that the base of foreign exchange earnings could be diversified. There is the need to cut down public expenditures until the revenue base is expanded and sufficiently diversified. Preference should be accorded revenue diversification and expansion to sustain the levels of public expenditures.
- (iii) Paying serious attention to technological development, particularly through sound (science-based) education and Research and Development (R & D) activities, can mitigate most of the production constraints in the Nigerian economy. This requires adequate funding in the education sector and research institutions. There was a bold attempt made in 1986 to promote technological development by way of formulating a science and technology policy. Unfortunately this policy, which includes earmarking of 5 percent of the government budget for R&D, was never implemented.
- (iv) The government should support and promote activities in the rural areas through such agencies as National Directorate of Employment, Peoples Bank and Federal Environmental Protection Agency.
- (v) The government should also encourage and stimulate the growth of small and medium-scale industries through soft loans and other incentives.
- (vi) There should be increased food production through timely, highly subsidized and adequate supply of inputs and maintenance of agricultural facilities.
- (vii) The government should re-appraise and re-prioritize the completion of critical on-going projects.
- (viii) There is the need to improve the administrative capacity for budget, including the budgeting itself. There should be timely approval of the Appropriation Bill by the legislature and also timely release of funds by the government.
- (ix) Another important element of fiscal management is the need to reduce fiscal deficits substantially. Where deficits are to be entertained at all, they should be financed with resources outside the banking system, and should be utilized on highly productive investments. Failure to do this, as experience has shown in Nigeria, has deleterious effects on domestic price stability. In poorly managed developing economies, there are structural rigidities and undeveloped markets. Therefore, if the government resorts to deficit financing, this tends to increase aggregate demand at a much more rapid rate than domestic income because of the limited scope for additional productive investment. When there is high propensity to consume as in Nigeria, deficit financing ultimately increases pressures on the external sector and induces among other variables, exchange rate instability in a free market environment.
- (x) A major policy problem that is very common in the developing countries is the over-reliance on Western European and American economic theory value which believes that government must always manipulate public expenditure to correspond

with cyclical growth problems instead of the developing economies using public expenditure as a booster to economic development based on their values and level of their national development. This paper therefore recommends functional finance, which advocates the budget balance. If implemented seriously and faithfully too, this will balance the economy and subsequently lead to the attainment of a higher level of production and growth.

9.0 Conclusion

This paper has reviewed the budgetary performance of the Federal Government and its implications on the economic development of Nigeria especially between 1979 and the year 2000. The analysis spans through both the military as well as civilian regimes. It is imperative to state that a result-oriented budgetary performance is very critical for Nigeria's economic development. When a fiscal operation is appropriate it helps, but when it is out of tune, it hurts the economy. The country can only attain the stage of self-sustained growth and development by first achieving fiscal viability and restores domestic viability.

In this study, it has been discovered that the budgeting process in Nigeria over the years has suffered from lack of transparency, openness, accountability and adherence to established financial rules and regulations. The economy has been characterized by a number of socio-economic problems such as high inflationary rate, very low GDP growth rate, high and wide gap of interests rates, over-dependence on a single economic product (crude oil), weak industrial base with under-capacity utilization, inefficient public utilities, low consumer demand, unemployment and wide disparity in income distribution.

However, good governance depends on the extent to which a government is perceived and accepted as legitimate, committed to improving the public welfare and responsive to the needs of its citizens, competent to assure law and order and deliver public services, able to create an enabling policy environment for productive activities and equitable in its conduct (Ozigbo, 2001).

Sen (1990) stated that in general terms, the notions of freedom, transparency, participation and accountability are key ingredients for good governance and development. Governance is implicitly equated with democracy and the two words are used interchangeably.

The general belief held by the proponents of democracy is that a country's economic growth and development can only be found in democratic rule. For instance De Barros (1989), founder of the Crusade for Citizens Participation in Chile (CIVITAS) once observed:

“Today, democracy is not only perceived as a form of government but as the best means to attain human development, taking into account the values and needs of the individual and his relations with others”. Obasanjo (1989) also noted, “Restraint and repression associated with authoritarian regimes breed resentment, and resentment breeds violence. Democracy releases the total energy of all citizens for development”.

In order to reduce poverty and illiteracy and enhance economic development, government has to match its promises with substantial increases in allocations to the educational and health sectors through effective monitoring and cost control. The attention and efforts of the government must be directed towards the achievement of better nourishment, better health, better education, better living conditions and better conditions of employment for the citizens of the country.

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TABLE 3: Total Debt Outstanding (N^o Million).

Year	Domestic Debt	External Debt	Total
1979	7,114.0	1,611.5	8,725.5
1980	10,399.0	1,900.0	12,299.0
1981	11,445.5	2,300.0	13,745.5
1982	14,847.5	8,819.4	23,666.9
1983	22,224.2	10,577.7	32,801.9
1984	25,675.0	14,536.6	40,211.6
1985	27,952.0	17,290.6	45,242.6
1986	28,451.2	41,451.9	69,903.1
1987	36,790.8	100,787.6	137,578.4
1988	47,031.1	133,956.3	180,987.4
1989	570,051.1	240,033.6	810,084.7
1990	84,093.1	298,614.3	382,707.4
1991	116,200.1	328,051.3	444,251.4
1992	161,900.2	544,264.1	706,164.2
1993	261,093.6	633,144.4	894,238.0
1994	299,360.9	648,813.0	948,173.9
1995	248,774.5	716,775.6	965,550.1
1996	343,674.1	617,320.0	960,994.1
1997	355,056.3	595,931.6	850,987.9
1998	537,490.9	633,017.0	1,170,507.9
1999	794,806.3	2,577,383.4	3,372,189.7
2000	898,253.9	3,121,725.8	4,019,979.7

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TABLE 5: Education and Health Share of Total Government Expenditure.

Fiscal Year	Total Federal Expenditures N ^o Million	Percentage of total Federal Expenditure on:	
		Education (%)	Health (%)
1969/70	845.2	1.4	2.0
1970/71	928.4	0.7	1.4
1971/72	1,417.1	1.3	3.5
1972/73	1,740.3	2.9	2.7
1973/74	2,167.7	2.5	3.2
1974/75	5,259.7	3.7	0.8
1975/76	9,730.0	8.7	0.7
1976/77	9,701.5	10.8	1.4
1977/78	15,328.9	3.2	0.8
1978/79	12,452.4	6.6	1.2
1979	8,024.6	8.3	1.0
1980	14,417.6	8.6	2.5
1981	10,774.4	8.6	3.9
1982	12,402.2	7.4	2.2
1983	11,529.7	8.2	2.2
1984	11,753.6	6.4	1.0
1985	14,894.6	5.4	1.4

1986	16,733.3	5.2	1.9
1987	22,018.7	2.0	0.6
1988	27,749.5	6.4	2.0
1989	41,028.1	8.3	1.9
1990	61,149.1	4.6	1.3
1991	67,149.1	2.3	1.1
1992	92,797.4	6.3	2.0
1993	191,228.9	7.3	1.5
1994	160,893.2	14.9	4.4
1995	248,768.1	13.0	5.2
1996	337,227.6	10.8	3.4
1997	428,215.2	11.5	5.0
1998	487,113.4	9.6	4.6
1999	947,690.0	11.1	4.5
2000	701,059.4	8.7	2.7

Sources: CBN (1999) *Bullion*. Jan/Mar. P. 75 & 76.

- (1) CBN (1994, 1997 and 2000) *Annual Report and Statement of Accounts*, Dec.

TABLE 6: Public Debt Charges (Interest) (in % of Total Recurrent Expenditure).

Year	Internal Debt (%)	External Debt (%)	Total
1979	-	-	11.5
1980	6.6	10.9	17.5
1981	7.0	13.1	20.1
1982	7.1	13.9	21.0
1983	7.1	14.0	21.1
1984	26.6	15.6	42.2
1985	26.4	13.6	40.0
1986	32.1	6.9	39.0
1987	24.4	15.1	39.5
1988	21.9	28.5	50.4
1989	23.1	27.9	51.0
1990	23.4	42.4	65.8
1991	27.5	41.6	69.1
1992	36.9	0.3	37.2
1993	27.7	8.0	35.7
1994	31.7	23.3	55.0
1995	25.0	12.7	37.7
1996	15.9	18.6	34.5
1997	20.2	8.5	28.7
1998	23.5	6.6	30.1
1999	17.7	10.8	28.5
2000	23.5	0.0	23.5

Sources: (1) Central Bank of Nigeria (1987-2000) *Annual Report and Statement of Account*, Dec.

- (2) Central Bank of Nigeria (1994). *Statistical Bulletin*. PP. 101 & 102.

ACCOUNTABILITY AND RECORDING SYSTEM AT LOCAL GOVERNMENT LEVEL

S. M. ADESOLA

Introduction

The purpose of this paper is to show government accounting system in outline to enable the participants at this Workshop appreciate the problems of the environment in which they operate and to stimulate discussions and exchange of ideas with a view to overcoming some of these problems.

The accounting system of any organization will be designed to contribute to the accomplishment of the objectives of that organization. While the basic principles and techniques of accounting are universally the same, the objectives they are designed to achieve differ according to environmental situation and organizational objectives. It is therefore not out of place to consider accounting system as a separate and distinct subject from accountings as a field of discipline. The former must however be discussed in the context of the latter.

Objectives of Government.

The main objective of Government is to facilitate the maximization of the happiness of the individuals in society. This main objective may be divided into the following subsidiary objectives:

- (1) Provision of public or collective goods which cannot be divided and consumed by the individual members of the society but which must be used in their entities for the benefit of all. Such goods will include expenditure incurred for defence, maintenance of law and order, regulatory services and environmental sanitation.
- (2) Provision of welfare services such as education and health care service.
- (3) Promotion of economical development. This particular aspect usually generates controversies not only in regard to its definition and validity, but also in the manner of accomplishing it. The laissez faire economists contend that government has no business in economic activities and should allow the law of supply and demand in a free market system to determine what to produce, how and for whom. The Keynes fans on the other hand, contend that it is the duty of the government to intervene in economic activities with a view to stabilizing the economy and promoting economic development. There is no doubt that in the modern context, government should participate in economic activities. The questions are: to what extent and by what method? These questions are relevant to the Government's accountant because of the need to design appropriate accounting system to satisfy the objectives of the Government. Where the Government establishes a corporation to operate a purely business or commercial enterprise or is a majority shareholder of a company with a view to making profit, the accounting system of that corporation or company will be purely commercial accounting system. If the object of a government corporation is not to make profit but mainly to provide welfare service, the accounting system will be a compliance accounting system. The problem here is that the borderline between a service corporation and a purely commercial corporation is sometimes blurred. For example, how may such Federal Government corporations as NEPA and NPA or a State Government corporation like Water Corporation be categorized? If NEPA is run purely on commercial basis, the tariff charges for electricity may double and the cost of locally manufactured goods may increase beyond the reach of the common man.

(4) Government Accounting System. By government accounting system, we meant the system of accounting suitable for government business which has service as its objective. The services provided by government ministries and departments, non-commercial corporations, schools, local government councils, the judiciary, the armed forces and the police will be included in this category. Since the purpose of these services is to promote the happiness and the well being of the people and not to make financial profits, the accounting system suitable to the activities is compliance accounting system. The purpose of such an accounting system will be to record transactions of each segment of government in monetary terms and to produce accounting information to show that the accounting officers responsible for the collection and disbursement of public revenues have performed in accordance with the provisions of the law.

(5) Voucher System. In commercial accounting system, the journal is used as the intermediary between the ledger and the source-document. Entry of a transaction is made from the source-document relating to the transaction into the journal and from the journal into the ledger. The journal thus serves as a chronological record of every transaction entered into the ledger. The journal, in this regard includes day books and the journal proper. In the voucher system, the use of the day books and the journal proper are eliminated.

Entries into the ledger are made directly from the vouchers. The vouchers thus serve the same purpose which the day books and the journal proper are designed to serve.

The objectives of vouchers may therefore be enumerated as follows:

As evidence of contractual agreement
As a source document or document of original entry from
which entry into the ledger is made
As an authority for revenue collection or disbursement

A voucher may be a revenue or expenditure or adjustment voucher. A voucher usually prepared for a particular or a number of transaction. The format for any voucher is usually given by financial instructions or other regulations. The purpose is to provide uniformity, standardization constituency in the description, classification and recording transactions. Not only that a voucher contains all the descriptions authorization and fact relating to the transaction in respect of which the voucher has been raised, all relevant documents relating to the voucher are attached to it.

There are various types of voucher of which are being discussed in this paper.

(iv) Revenue or Treasury Receipt Voucher (T. R. V.)

The T. R. V. is the source document from which entry is made in the cashbooks. The cashbook is kept by the treasury cash office and the T. R. V. is also prepared by the cash office. The accounting officer for a particular head and sub head revenue. Whilst the accounting for an item of revenue is technically the revenue collector in respect of that item of revenue, he may delegate the duties of revenue collection to a subordinate officer or such duties may be delegated statutorily. For example, the permanent secretary, Ministry of Finance, is the accounting officer for all item revenue which the Ministry of Finance is required to collect. The Director of internal Revenue who is administratively responsible to the Permanent Secretary Ministry of Finance, has the statutory-duty of collecting items of revenue/secretary while the P.S of that ministry is the accounting officer. The Director of internal revenue by virtue of the functions statutorily delegated to him, is also a Revenue collector even though he is not accounting officer. In the same manner, any officer who collects revenue may be regarded as a revenue collector whether or not that officer is an accounting officer. It is the duty of a revenue collector to issue official receipts serially numbered in booklet of 50. The receipt is designed to show the date of issue to whom issued, the amount received, both in figure and word and for purpose. An official receipt is usually issued in triplicate, the originals going to the payers, the duplicate to the treasury cash office together with cash or bank teller, as the case may be while the triplicate copy is retained in the book. Official receipt is required to be written in ink and double sided carbon is used for the copies. The purpose of using double sided carbon is to ensure that the same facts stated on the original also appear on the back side

of the duplicate so as to avoid fraudulent alteration. The Revenue collector maintains a revenue collector's cashbook into which official receipt issued by him are entered serially. He takes this cashbook with the duplicate of the official receipt issued by him to Treasury Cash Office periodically, say, every week. The treasury cash office will check each receipt into the cashbook to ensure that the receipt is properly issued and correctly entered serially in the cashbook. Thereafter, the Treasury Cash Officer will add together the amount on all the bank teller in the respect of cash paid into the bank during the period. He will then agree the total receipts with the total payments into the bank. Having satisfied himself that everything is in order, the treasury cash officer will issue T. R. V. In respect of the total amount entered in the revenue collectors cash book, he will also sign off the cash book with date.

On receiving TOV, the revenue collector will paste it on the page of his cash book in which the period of account ended so that it can be seen at a glance, the total collection for the period checked into the T. R. V. issued, when the statutory auditor comes around for checking, he will find no difficulty in locating and checking the records.

The Treasury Cash Officer will issue one copy of the T. R. V. to the main accounts in the Accountant General's office for entry into the Revenue Ledger Account. From the foregoing discussion, it may be summarized that three person are involved with respect to the preparation and the use of the TOV. These are (1) the revenue collector who generates the fact entered in the T. R. V., (2) the Treasury Cash Officer who prepares the T. R. V. and makes entry from it into the Treasury Cash Book and (3) the Accountant General who makes entry from the T. R. V. into the Revenue Ledger.

6. Payment voucher for purchases. Purchases are initiated by one or two main methods depending on the quantity and value of the purchases to be made. Local purchases are usually initiated by preparation of local purchases order (L. O. P.). Where purchasing functions are centralized, the department or section requiring material will issue purchase requisition, the original copy of which is forwarded to the purchasing officer who, in turn, will issue local purchase order. It is the duty of the spending officer to ensure that he keeps within regulation in making purchases, for example, there may be regulations limiting the authority of a spending officer to a specified amount. He is prohibited from purchasing any goods or materials that are available in the central stores or he may be obliged to take a minimum percentage cash discount or purchase at a specified maximum price. He must keep within the regulations otherwise he may be liable to surcharge for less of revenue by the government. Where the quantity or value of purchase is substantial the purchase will be initiated by a tender notice. There is a tenders board usually presided over by the Chief Executive, there is no limit to the value of purchases that the central tender board may make. There is also ministerial tenders board which can purchase contracts of specified maximum value.

In either case, there are three main steps to be taken before payment voucher for purchases is raised. The first step is conclusion of purchase contract. A purchase contract is concluded when the purchase agreement is signed by both the supplier and the Government. In the case of L. P. O., the L. P. O. itself is an offer. The offer is accepted only when the goods specified in the L. P. O. are delivered. The second step is the certification of the receipt of the goods by the government store keeper. The third step is the authorization of payment by the person having authority to do so.

The payment voucher for purchases will have attached to the duplicate copy of the LPO, the copy of purchase requisition, if that is required, the original invoice of the supplier and the certificate of the storekeeper showing that the goods have been delivered to the stores in good order and according to specification. Where purchase is made by tender, the copy of the minutes of the tenders board contract of purchase, the original invoice of the supplier and certificate of the storekeeper indicating that the goods have been received, will be attached to the voucher. The voucher itself will show the official number, date, the name, and address of the payee (the supplier), the purpose of the payment, the amount, both in words and figures, the rate of charge, the signature of the officer authorizing payment, the receipt column which the payee is required to sign upon collection of cheque or payable order and the number of cheques or payable orders collected.

7. **Payment Voucher for Contract.** There are usually two types of contracts, namely, minor contracts and major contracts. Minor contracts are awarded at various levels of authority. Major contracts are awarded by the Central Tenders Board or the Ministerial or Departmental Tenders Board. Payment for a major contract may be made at various stages of completion, the final stage being the retention fee of about 5 or 10% held back for about 6 months after the completion of the job to ensure that the contractor carries out any repair or rectifies any defect that may be detected in the work. The payment voucher for contract will have affected to its contract documents, certificate of job completion authority of the spending officer to raise payment voucher and any other relevant document. The voucher will show, on the face of it, the same particulars as are shown on the voucher for payment of purchases.

8. **Payment Voucher for Salary.** Particulars shown on the payment voucher for salary are usually extracted from the salary card of each employee and also from the tax deduction card. The salary card in respect of an employee will show, among other things, the name and the department or section of the employee, his current annual salary, date of increment in salary, allowances, deductions such as for salary advance, housing and vehicle loans, rent, surcharge etc. The tax deduction for each month will be computed by reference to the tax table provided by the tax payable for the month which will then be obtained from the tax deduction card. The payment voucher for salary will show, among other particulars, the name of each employee, the period for which the voucher has been prepared, the gross salary for the period, deduction and net emolument payable to the employee for the period. It will also include column for receipt of their salaries.

9. **Payment Voucher for Wages.** Wages are paid to casual workers or daily rate employees. The time keeper will keep attendance register from which the periodical wages sheet are prepared. The wages sheet has columns for number of days worked, rate per day, gross wages for the period deductions and net wages payable. It is desirable to have wages trend for each section overtime period for purposes of comparison. Regular comparison may reveal unusual increase or decrease in the wage bills and such sudden increase or decrease may be due to malpractice such as the insertion of dummy employees in the wages sheet. Such wage trend may be as follows:

Period	1	2	3	4	5
Gross Wages	10,000	10,000	9,000	12,000	12,000
Percent of Period	100	105	98	125	127

From the above trend, there is a sudden increase of 27 point in period 4 over period 3. This calls for investigation. Investigation may show, excessive or unauthorized overtime, increase in number of employees to cope with seasonal work load or to fraud.

10. **Other Sundry Vouchers.** There are also vouchers for advances, refunds, claims stores issues, transfers and adjustments. The important thing to note is that entries into the government accounting ledgers are made from vouchers.

11. **The Departmental Vote Expenditure Book (D.V.E.A.).** The D.V.E.A. is a memorandum book of account and it is not a ledger. As its name implies, it is a departmental expenditure vote account designed to show, at a glance, the balance in a particular vote. All spending officers are required to keep the D.V.E.A.

At the beginning of each year, a spending officer is allocated with a specific fund under each vote of charges under his control. The issue of such fund is made by means of Authority to Incur Expenditure (A. I. E.). When a particular vote of charge is exhausted, a new A. I. E. is issued. The whole amount of a vote is not issued once and for all but issued instalmentally to the spending officer. The officer must not exhaust the amount found in a particular vote. This is because the amount voted under a particular vote under legislative authority must not be exceeded, supplementary appropriation must be obtained from the legislative authority to supplement the vote. Where a spending officer controls two or more votes, he may seek and obtain approval from the Ministry of Finance to veer fund from one of such votes which is not exceeded.

The D.V.E.A. has three columns. The A.E.E.s are entered in the receipt column. Payment vouchers are entered in the issue or expenditure column. The third column is the balance column. Whenever an entry is made, the balance is computed and extended in the balance column.

12. Processing the Payment Voucher. Payment vouchers emanating from a spending officer are serially numbered. A payment voucher register must be maintained by each spending officer. Each voucher is usually given the next number on the register. When a voucher is numbered and registered, the voucher then goes to the D.V.E.A. clerk who will enter the amount on the voucher in the D.V.E.A. book. Thereafter, the voucher will go to the spending officer for signature. After the voucher has been signed, it goes to the Internal Audit for pre-payment checking. If the voucher is satisfactory to the internal auditor, he will pass the voucher for payment. A cheque or payable order, as the case may be, will then be issued in respect of the voucher. The number and date of the cheque or payable order will be quoted on the voucher. When the voucher is paid and properly receipted, the Cashier or the Treasury cash Officer, as the case may be, will stamp the original of the voucher APAID@. It is this paid original copy that the statutory auditor will check.

Ledger Accounts. The ledger accounts include:

- Consolidated Revenue Fund
- Other Funds
- Capital Expenditure
- Recurrent Expenditure
- Fund Investment Accounts
- Debit Accounts with other Government
- Credit Accounts with other Government
- Cash Book
- Loan Accounts
- Below the Line Accounts.

THE ROLE OF FINANCIAL RULES AND REGULATIONS IN FOSTERING ACCOUNTABILITY AND TRANSPARENCY AT THE LOCAL GOVERNMENT LEVEL

M. L. NASSAR

Introduction:

Accountability can be defined as the obligation owed by anyone occupying position of trust to account for his action in the discharge of his duties. In the Nigerian public sector, both the office of Accountant-General and Auditor-General play crucial roles in the financial monitoring and accountability of government transactions.

In Nigeria, like other countries, two broad categories of accountability and ethical standards on the part of civil servants exist. These are instrumentalities internal of the public administration system and those that are external to it. The internal methods are essentially instrumentalities for self-monitoring of the administrative system. These include:

- Civil Service Rules (C.S.R.).*
- Financial Instructions/Financial Memorandum (FM).*
- Departmental circular.*

The external methods are essentially instrumentalities for the monitoring of the administrative system by political institutions like:

- (a) *The Executive arm of government*
- (b) *The Legislative arm of government*
- (c) *The judicial arm of government*

Other non-traditional instrumentalities include:

- (a) *The Mass Media*
- (b) *The Code of Conduct Bureau and Tribunal and*
- (c) *The Public Complaints Commission (P.C.C).*

The focus of this paper will be limited to the internal methods. And to that extent, the paper will dwell extensively on the role of financial rules and regulations.

Objectives of Rules and Regulations:

Rules and Regulations are made essentially to amplify the provisions of law and delimit the discretion of subordinate functionaries of an organization with respect to decision-making.

Financial Rules and regulations and their sources:

Financial rules and regulations of local government are derived mainly from the following sources:

- (a) *Local Government Law and*
- (b) *Financial Memoranda for Local Governments*

Rules and Regulations are derived from these two sources as following:

Local Government Law:

The Local Government Law contains provision relating to:

- (a) *General Financial Management*
- (b) *Rating*
- (c) *Audit*

(a) The General Financial Management

General provisions may be discussed under the following subheadings.

(i) Revenue of Local Government:

The sources of revenue of local government are listed in details under which provisions. They include all revenue which local governments are enlisted to collect.

(ii) Establishment to Fund:

A Local Government is required to establish a General Fund. All revenue of the Local Government must be credited to the fund.

(iii) Liabilities of Local Government:

All liabilities falling to be discharged by a local government shall be discharged from the General Fund of the Local Government.

Where a Local Government engages in any trade, commerce or industry, any revenue generated from the trade, commerce or industry, shall be applied and used solely for the purposes of the undertaking. The Local Government may however determine from time to time how much of such revenue that may be paid into the General Fund of the Local Government.

(iv) Power to Borrow Money:

A local government may borrow money from within or outside Nigeria subject however to the approval of the State Executive Council. A local government may also obtain advances from banks by overdraft upon the credit of the local government. The amount must however not be more than the income of the local government in the preceding year.

Accounts:

A local government is required to keep accounts and to make annual accounts in accordance with the provisions of the Financial Memoranda.

(vi) Preparation of the Annual Estimates:

Each Local Government is required to prepare its annual estimates and to process the estimates for approval.

(b) Rating

The Local Government Law makes extensive provisions for rating including imposition and collection of capitation and tenement rates.

(c) Auditing

The Auditor General for Local Governments in a State is now charged with the duty of auditing the accounts of all the Local Governments within the State.

The Auditor General has the power

- (i) to disallow any item of account which is contrary to law or to Financial Memoranda or is unsupported by proper records or accounts or which he considers unreasonable;
- (ii) to surcharge the account of any expenditure disallowed upon the person responsible for incurring or authorizing the expenditure;
- (iii) to surcharge any sum which has not been duly brought into account upon the persons by whom that sum ought to have been brought into account;

- (iv) to surcharge the amount of any loss or deficiency upon any person by whose negligence or misconduct the loss or deficiency has been incurred;
- (v) to certify the amount due from any person upon whom he has made a surcharge;
- (vi) to certify the conclusion of the audit, his allowance of the accounts subject to any disallowances or surcharges which he may have made.

Where an employee of a local government is able to prove that he acted in pursuant to the terms of the resolution of the local government or of the committee of the local government, he shall not be liable to any surcharge arising as a result of such an action. The employee will be liable, however, if he knew that the resolution was illegal before taking the action.

An employee who has been surcharged by the Auditor-General may appeal to the responsible Commissioner. Where the amount involved does not exceed ₦480 and may, in other cases, appeal to the High Court within 30 days of the decision, disallowance or surcharge, as the case may be.

Financial Memoranda for Local Government:

The Local Government Law empowers the Commissioner for Local Governments having responsibility for local governments in the State to make financial regulations, which are collectively referred to as Financial Memoranda which each State is expected to adopt. The discussions that follow in this paragraph are based on the contents of the model Financial Memoranda. The discussions are made under the following subheadings:

(a) Financial Duties and Responsibilities

The Financial duties and responsibilities are specified in respect of the following bodies and officers:

- (i) The Local Government Council
- (ii) The Executive Committee
- (iii) The Finance Department
- (iv) The Chairman
- (v) The Secretary
- (vi) The Head of Personnel Department
- (vii) The Treasurer
- (viii) The Heads of Department
- (ix) The Revenue Officers
- (x) The Revenue Collectors

(b) The Framework and Purpose of the Estimates:

Provisions are made in the following respects:

- (i) Moneys received and paid must be entered in the cashbook.
- (ii) Every Local Government must open bank account. A bank account can be opened or closed only with the authority of the Executive Committee.
- (iii) The Treasurer and the Director of Personnel shall be authorized by the Executive Committee to sign cheques and requisition for cheque.
- (iv) The procedure to be followed with respect to cheques is specified. For example, cheque must be signed only after all formalities have been completed and when it is about to be collected; it must be entered into the cash book immediately after signature, blank cheques must not be signed, used and unused cheques must be kept in strongroom, etc.
- (v) Proper strongroom must be maintained. The Keyholders of a strongroom shall be appointed by the resolution of the Executive Committee and their names shall be recorded in the AKeyholder=s register@ The responsibilities of the strongroom keyholders are specified.

- (c) *Collection and Receipt of Revenue and Other Monies:*
All moneys and revenue due to a local government shall be received either by the cashier or revenue collector. An employee of a local government or any other person may be appointed as a revenue collector. Appropriate forms to be used by revenue collectors are specified.
- (d) *Control of Receipt and Other Revenue Earning Book etc.*
Provisions are made for the recording of receipt and issue of the documents, printing, custody and return of used or surplus revenue caring books.
- (e) *Loss of Funds and Revenue Books:*
 All losses of funds and losses of receipt books must be reported immediately on discovery to the Chairman by the person who discovers or suffers the loss. The Chairman shall upon the receipt of the loss, make a report to:

- (i) the Executive Committee
- (ii) The Treasurer if he has not made the report himself
- (iii) The Council
- (iv) The Internal Auditor
- (v) The Auditor General
- (vi) The Police, if fraud or theft is suspected

The person involved in the loss shall be called upon to refund the loss.

The executive Committee shall appoint a Board of Enquiry to investigate the loss. The Board will report its findings and recommendations to the Chairman and the Chairman will take actions as prescribed.

- (f) *Control of Expenditure*
 The Executive Committee is primarily responsible for control of expenditure. The Committee may however delegate control of expenditure to the appropriate Head of Department. An officer controlling a vote may, with the approval of the Executive Committee, delegate control of a vote or part thereof to another Senior Local Government Officer and subdivide the funds available in a vote between specific works and services by the issue of an authority to incur expenditure (R.I.E.).

Any person to whom authority to incur expenditure is given, has responsibility for the control of funds allocated to him. The delegation by an officer controlling a vote to another officer shall not relieve the officer controlling the vote of his overall responsibility for the vote or votes under him. Every officer controlling a vote is required to keep Departmental Vote Expenditure Account in respect of the vote.

- (g) *Payments Procedure*
 Payments shall be made either by the Finance Department or from the Imprest given to the officer making payment. A payment must be supported by voucher and fund must be available for the payment. All payments must be properly receipted.
- (h) *The Main Books of Accounts*
 Provisions are made as to the type of accounts that are to be kept.
Accounts are not to be entered in green ink which is strictly reserved for the use of the Auditor-General, no erasure is allowed in the ledger.
- (i) *The Cash Book*
All receipts and payments must be entered individually in the cashbook. The procedures for making entries in the cashbook are specified. Bank reconciliation with cashbook is required to be made at the end of each month.
- (j) *Stores Accounting*
 Provisions are made for stores management, accounting, receipt and supply of stores.

Other Sources of Rules and Regulations

Other sources of financial rules and regulations and directives and circular from the Presidency, the office of the State Governors/Administrators and internal circular. It is desirable that rules and regulations should be updated as new issues and amendments are made.

Conclusions

Rules and regulations will be of little import if the officers who are required to apply them either do not understand them or fail to apply them.

They are not expected to be memorized but they are to be referred to for the resolution of issues as they may arise.

AUDITING AND INVESTIGATING AT THE LOCAL GOVERNMENT LEVEL

OLU OMOPARIOLA

Introduction

Auditing is the independent examination and investigation of the evidence from which a financial statement has been prepared with a view to enabling the independent examiner to report whether, in his opinion and according to the best of the information and explanation obtained by him, the statement is properly drawn up and gives a true and fair view of what it purports to show and if not, to report in what respects he is not satisfied. The independent or investigator is referred to as an auditor.

The salient features of the definition which should be noted are:

- (a) The independence of the auditor. It is of paramount importance that the auditor is not under the control of the person in charge of preparing the evidence and financial statement which he is auditing.
- (b) Evidence normally refers to books, accounts and vouchers of the organization being audited.
- (c) A financial statement as used in this definition often refers to an organization's income statement, balance sheet together with the notes relating thereto and, more recently, the sources and application of funds statement.
- (d) In expressing an opinion, the auditor should consider all information and explanation obtained from all sources, both internal and external. In connection with the audit work carried out. At the end of the audit and where he is not satisfied that financial statement or a particular aspect of it does not show a true and fair view, the auditor should state so, and express in clear terms areas of his dissatisfaction. This is referred to as giving a qualified report.
- (e) The words 'true and fair' should be read together and should be defined in terms of the requisite standard required for a particular audit.
- (f) The audit work is completed with the submission of the report by the auditor expressing his opinion on the financial statement audited to the authority.
- (g) Investigation refers to the examination by an auditor, of the evidence from which the final revenue accounts and balance sheets or other statements of an organization have been prepared. The auditor's investigation may be a complete one; it may be partial or incomplete but it will form the basis of his report.

Local Government Auditing

Under Section 122 of the Local Government Law Cap 2 of Western Nigeria, 1959 (as amended) the accounts kept by a Local Government Council must be subject to auditing. To this end, Section 13 91) of the Implementation Guidelines on the Application of Civil Service Reforms in Local Government Service provides for the establishment in each state of the office of the Auditor-General for Local Governments.

Under the same section, the Auditor-General for Local Governments:

- (i) Has power to carry out, on a regular basis, the auditing of Local Government Accounts;
- (ii) Has power to sanction and surcharge any officer as stipulated in the Guidelines Governing Offences and sanctions. However, appeals against such decisions lies with the Public Accounts Committee (PAC);

- (iii) Is the Chairman of Local Government Audit Alarm Committee;
- (iv) Has access to the State government through the Governor's representative on the Audit Alarm Committee;
- (v) Has to notify the PAC of audit alarms of significant importance and serious prepayment audit queries for which the Accounting Officer of the Local Government is liable or responsible. In addition, any other sensitive issue which, because of its urgency, cannot wait until the Committee is convened shall be dealt with by the Auditor-General for Local Government.

Section 13(2) provides that the Auditor-General shall be appointed by the State governor in the same manner as the Auditor-General for the state. He must possess qualifications and cognate experience comparable with those of the Auditor-General for the State with whom he shall enjoy the same conditions of service.

Section 13(3) states that Auditor-General for the Local Governments shall have an independent outfit and shall be based at the State Headquarters.

There are two aspects of audit, namely: Internal and External Audit. Both complement each other.

Internal Audit

Internal auditing according to the American Institute of Internal Auditors is an independent appraisal activity within an organization for the review of accounting, financial and other operations as a base for service to management. It is a managerial control which functions by measuring and evaluating the effectiveness of other controls.

In the opinion of the Chartered Institute of Public Finance and Accountancy in the United Kingdom, internal auditing exists within a public authority to carry out an independent and continuous appraisal of accounting, financial and other processes, with the following objectives:

- (a) To secure the installation of soundly based systems of control within each area of departmental responsibility;
- (b) To review and where necessary, make recommendations for the improvement of systems, controls and procedure in order to ensure that they are both efficient and effective that they remain adequate in the light of changing circumstances and are adhered to in practice.
- (c) To assist in protecting the assets and interests of the organization by carrying out a continuous examination of activities in order to detect fraud, mis-appropriation, irregular expenditure and losses due to waste, extravagance and maladministration.
- (d) To monitor the use of resources in the pursuit of defined objectives of the authority.

The type of auditing envisaged by the above definition is management auditing. This is a systematic review to ensuring maximum utilization of human, financial and operating resources. It represents a change in emphasis from the traditional finance oriented review to a wider management oriented approach.

Internal audit which is little more than a ticking machine, concentrating almost exclusively on the arithmetical accuracy of transactions, will not be of great assistance to management. What is needed, as a minimum, is a system which ensures effective financial administration and control, such financially oriented internal audit would concentrate on verifying the efficiency of systems of financial control, reviewing, updating and improving financial systems and procedures and undertaking a continuous examination of financial transactions.

In this regard, it is the duty of the Accounting Officer of each Local Government to establish and maintain an Internal Audit Unit to provide a complete and continuous audit of the accounts and records of revenue, expenditure, plant, allocated and unallocated stores. Notwithstanding the existence of an Internal Audit Unit in a Local Government, the individual officer's responsibilities subsist and the departmental checks shall continue.

The Internal Auditor of each Local Government is responsible directly to the Accounting Officer. He shall submit to the Accounting Officer and the Auditor-General for Local

Governments a detailed audit programme, and, thereafter, he shall report monthly to the Accounting Officer as well as to the Auditor-General for Local Governments on the progress of the audit. He shall also issue special reports, if necessary, where, in his opinion, the attention of the Chairman and the Treasurer should be drawn to any irregular or apparent department from earlier internal audit reports/recommendations or from the Auditor-General for Local Governments' reports/recommendations. In any Local government where a system of stores stock verification does not exist, the Internal Auditor shall assume the control of stock verification, staff and direct their programme of inspection.

External Audit

Although internal auditing is an important part of the auditing function, the most significant aspects of auditing are those in which the auditor communicate the results of his activities for the use of parties outside the organization.

Under the 1989 Constitution and the 1988 Civil Service Reforms, the annual external audit of the accounts of Local Governments is to be carried out by the Auditor-General for Local Governments.

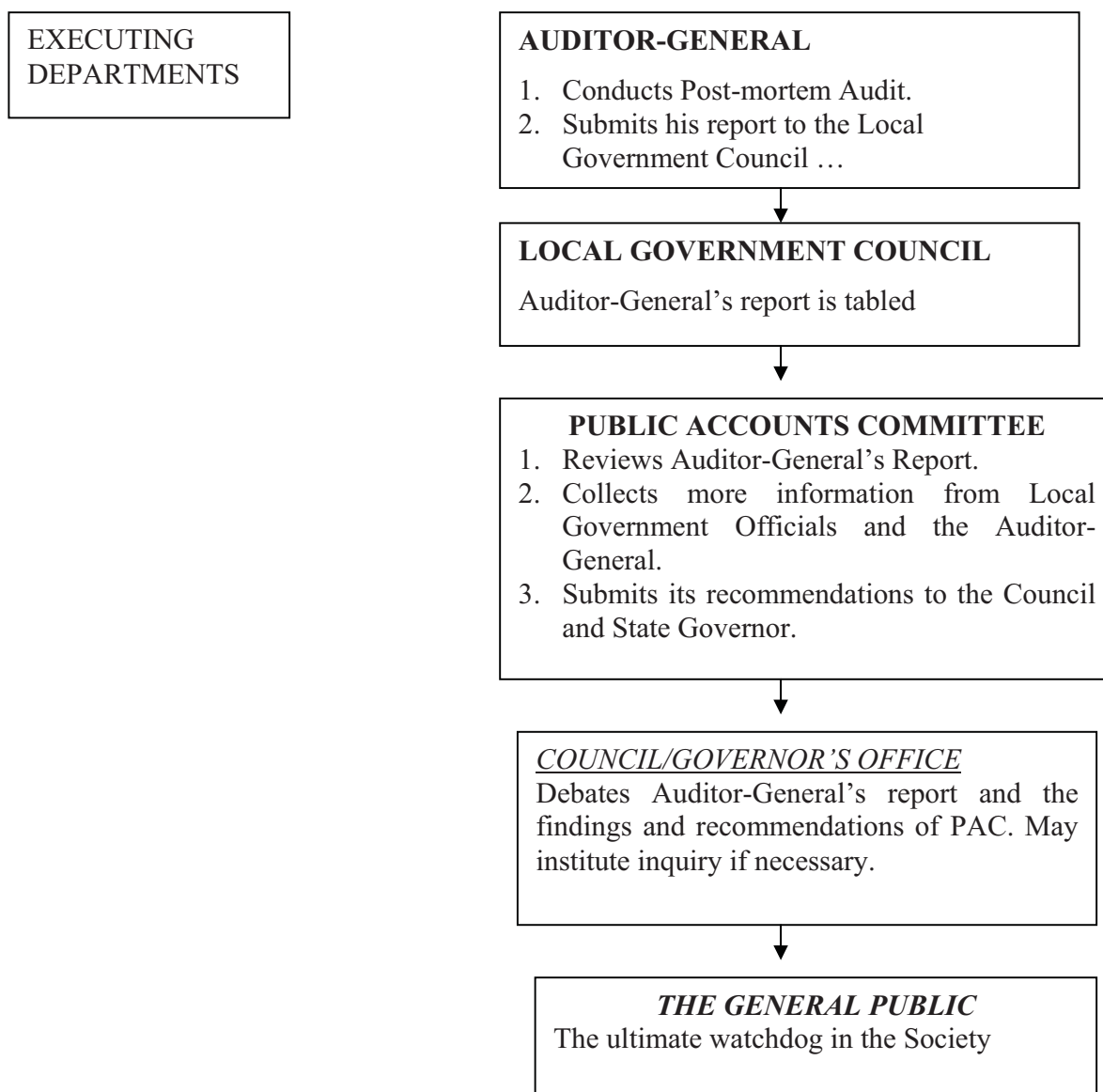
In the past, the external audit of the accounts of the former Local Authorities were so far in arrears that they were often not of very great value as the information revealed had often been over-taken by events. Certainly the system was of little use in the management of Local Authorities Finances. In these circumstances and in order that the external audit may play a more virile role in the financial management process, the Treasurer should strive to ensure that Local Government accounts are prepared on time. This will enable the office of the Auditor-General for Local Governments to carry out the audit promptly after the end of the appropriate financial year.

The sequential order of the auditing procedure at the Local government level in Nigeria is as presented in Figure 1. The success of the 1988 Civil Service Reforms rests on a strict adherence to this sequential order.

To prevent irregular payments before they are made, an Audit Alarm Committee has been established in each State comprising the Auditor-General for Local Governments as Chairman, the Director of Local Government Inspectorate (former Chief Inspector of Local Government) representing the Governor's Office and one representative from the office of State Accountant-General.

The Committee is charged with the responsibility for examining all cases of alarm raised and brought before it. It is now the standard procedure for payment audit queries raised by the Internal Auditor, the Treasurer or the Secretary of a Local Government, but over-ruled by the Chief Executive to be referred to the Audit Alarm Committee. It is an offence for any officer to process any queried payment under the audit alarm system and further, except with an audit certificate issued by the Chairman of the Audit Alarm Committee, once a prepayment audit alarm has been raised.

Figure 1: The Sequential Order of the Auditing Procedure at the Local Government Level.



Audit queries must be addressed to the Chairman and answered within the time limit stipulated in the rules governing offences and sanctions. (The time and sanctions for some of the main offences are highlighted in Table 1). To ensure the effectiveness of audit functions, all local governments entering into contract agreements must include a clause enabling the auditor-General for Local Governments have access of auditing or monitoring contract performance.

Conclusion

As currently used, governmental 'audit' is used to describe not only the work done by government accountants in examining financial reports, but also, the work done in reviewing:

- (a) Compliance with applicable laws and regulations;
- (b) Efficiency and economy of operations; and
- (c) Effectiveness in achieving programme results.

Consequently, government auditing can be broken down into four distinct stages or level of development as follows:

- (a) *Financial audits*: The type of auditing that seeks to determine the propriety of the financial transactions of the government.
- (b) *Compliance audits*: The type of auditing which seeks to determine the extent of administrative adherence to legislative requirements and administrative policies. In other words, compliance audits are designed to establish whether:
 - (i) applicable laws and regulations have been observed;
 - (ii) the vouchers conform to requirements;
 - (iii) the entry has been made correctly; and
 - (iv) the budget has not been exceeded.
- (c) *Economy and Efficiency audits*: The type of auditing that seeks to determine whether the audited entity is managing its resources (personnel, property, space, funds, etc.) economically and efficiently. It seeks to determine the causes of any inefficient or uneconomical practices-inadequacies in management information systems, in administrative procedures, or in organizational structure.
- (d) *Programme Result audits*: The type of auditing that seeks to determine whether desired results or benefits are being achieved. Whether the objectives established by the legislature or other authorizing body are being met.

Auditing at the local government level in Nigeria right now is limited to the first two types of audits, which constitute the simplest forms of auditing.

It is very essential that these types of auditing are expanded to include more modern types of auditing specifically, economy and efficiency auditing. In order to achieve this objective, it is very necessary to:

- (a) modernize the budgeting system;
- (b) modernize the accounting system;
- (c) develop sound personnel policies;
- (d) improve the internal control system;
- (e) improve auditing standards;
- (f) improve the internal audit system; and
- (g) foster good general administration.

Unless this major objective is achieved, the main advantages of modern systems of auditing, especially timely rendition of reports will be difficult to attain.

**Table 1: Guidelines on Audit Queries and Sanctions:
Codification of Offences and Sanctions**

(a) *Irregularities resulting in Losses to Local Government due to either fraudulent activities of the functionaries or due to their negligence or incompetence*

NO.	OFFENCES	TIME LIMIT TO REPLY TO QUERY	SANCTIONS
1.	Inflation on Contracts	30 days	If committed by accounting Officer, make report to both the Governor and the Public Accounts Committee. If the offence is committed by any other officer, appropriate surcharge shall be imposed and the officer removed from the schedule.
2.	Unauthorized Variation of Contracts	30 days	If committed by accounting Officer, make report to both the Governor and the Public Accounts Committee. If the offence is committed by any other officer, appropriate surcharge shall be imposed and the officer removed from the schedule.
3.	Inflation of prices of procurements	21 days	Impose appropriate surcharge
4.	Payment for jobs not executed: (a) Mobilization fee (b) Payment through false certificate of completion.	30 days 21 days	Recovery from beneficiary and blacklisting of the affected contractor. Refer case to the Police for prosecution.
5.	Poor quality work (buildings, tarred road etc.)	42 days	Blacklist contractor; demote the official who certified the job.
6.	Irregular or wrong payments	21 days	Recovery of the amount involved and removal of the Officer from the schedule.
7.	Shortages or Losses of Stored goods by Storekeeper	14 days	Surcharge the affected Officer and transfer him to another schedule.
8.	Shortages of Losses of Cash by Cashier	7 days	Recover the amount involved and transfer him to another schedule.
9.	Assets paid for but not collected	21 days	Recover the amount involved and blacklist the supplier and transfer the Officer to another schedule.
10.	Payment of ghost workers	7 days	Interdict the officer(s) and report to the Police.

(b) *Irregularities not directly or immediately Resulting in losses to the Local Government but which infringe upon budgetary control and proper financial management*

1.	Splitting of Contracts to sidetrack tender procedure.	21 days	Demotion in rank of the Officer, and transfer to another schedule of work.
2.	Irregular award of contracts	21 days	Demotion in rank of the Officer, and transfer to another schedule.

(c) *Irregularities arising through poor or inefficient management of accounts, and which may result in Losses*

1.	Non-recovery of Advances	21 days	All losses shall be recovered from or surcharged against the defaulting officer if he is a Local Government employee. Where no losses are involved, the defaulting officer shall be warned.
2.	Non-Posting of Ledger	21 days	All losses shall be recovered from or surcharged against the defaulting officer if he is a Local Government employee. Where no losses are involved, the defaulting officer shall be warned.
3.	Cash in transit for too long (over three months)	21 days	All losses shall be recovered from or surcharged against the defaulting officer if he is a Local Government employee. Where no losses are involved, the defaulting officer shall be warned.
4.	Failure to prepare Bank Reconciliation	14 days	All losses shall be recovered from or surcharged against the defaulting officer if he is a Local Government employee. Where no losses are involved, the defaulting officer shall be warned.
5.	Non-rendering of Statement of support of A. I. S. E. granted	30 days	All losses shall be recovered from or surcharged against the defaulting officer if he is a Local Government employee. Where no losses are involved, the defaulting officer shall be warned.

TREASURY MANAGEMENT AND CONTROL IN NIGERIAN LOCAL GOVERNMENT COUNCILS

OGUNTEGBE, A. A. AND ADEBAYO, N. A.

Abstract

The treasury department as an integral part of a Local Government Council is a very important one. It is the arm of the Local Government Council, which is responsible for monitoring the collection and spendings of revenue. The viability of the Local Councils depends on the size of funds available to them. For example, poor revenue collection may lead to difficulty in paying the salaries of staff promptly. Furthermore, inefficient financial management and control may result in non-viability of Local Councils and their consequent inability to proceed with essential capital projects. This is the more reason why the operations of the Treasury department have to be given a closer look. In fulfilling this objective, this paper highlights the structure and functions of the Finance Department of a local government, the functions of a local government Treasurer, the accounting records that are kept by the Treasurer and the financial controls that exist at the local government councils. The paper also traces the reasons for the financial control failures at the Local Councils in Nigeria and suggests remedies to the problem.

1.0: Introduction

In order to ensure the maintenance of probity and accountability at the Local Government level in Nigeria, the Federal Government has instituted certain controls, typical of which are contained in the 1988 Local Government Financial Memoranda and the Local Government and Civil Service Reforms (Decree 43) of 1988. The Financial memoranda are a set of rules and regulations on all types of expenditure; and it has the backing of the law. This document must be strictly followed by all those who are employed in financial and accounting duties in the Local Government councils. It enables the public officers who are responsible for the collection, receipt, issue or payment of public moneys, comply with the rules for the operation of the various funds.

Public accountability means that persons charged with determining, drafting and carrying out policy, in the public sector organizations, should be required to explain their actions to their electorates who include taxpayers, employees, and clients (Johnson, 1992).

The finances of Local Government councils in Nigeria are limited because of three major reasons. First, the financial resources are naturally limited in supply in themselves compared to the numerous needs to be met. Such needs include welfare, education, administrative and productive services. Second, the Local Governments are not allowed to raise new tax or introduce a new form of tax without an express permission from the State Governments and third, the Local Governments cannot raise capital from the capital market as is possible overseas where the local authorities are free to raise funds for their project if it is self-financing (Bello-Imam and Aziegbe, 1990). There is therefore, the need to consider how the revenues available to the Local Government Councils could be well managed and controlled in order to make the best out of the limited quantity at hand for the maximum derivation of the people's welfare at the grassroot level.

Financial management and control at the Local Government level consists of the various ways in which the Chief Accounts Officer, who is called the Treasurer, uses the policies and procedures laid down in the Financial Memoranda or decided by a relevant authority to achieve the financial objectives of the Local Government. The Treasurer reports to the Finance and General Purpose Committee. He uses the services of revenue collectors and other accounting support staff to conduct good financial management. In order to appreciate the role of the

Treasurer and the Finance Department of a Local Government, in the management and control of funds, their functions will be considered in the next section.

2.0: The Finance (or the Treasury) Department

The Finance Department, best described as the Treasury Department is the engine room for the disbursement and prudent management of public funds that accrue to the Local Government Councils.

The Finance Department of the Local Government, headed by the Treasurer, serves as the nerve centre of all accounting operations in the local government. This does not mean that there is no other unit or section performing some aspects of accounting functions, but the Finance Department serves as a general co-ordinating centre. The Treasurer is generally responsible for the proper working of the Treasury for ensuring that the proper systems of departmental accounts are maintained. In addition, the Treasurer, together with the other members of the accounting staff shall be held personally and pecuniarily responsible for the errors in accounting and incorrect and unauthorized payments.

2.1 Structure of the Finance Department

The Finance Department of a Local Government should consist of the following sections (FM 2.3, 1991).

- (i) Revenue Section
- (ii) Expenditure Section
- (iii) Supplies Section
- (iv) Commerce and Industries (where visible)
- (v) Final Accounts Section

2.1.1 Functions of the Revenue Section

The functions of the Revenue Section of the Finance Department include the following:

- (i) Participating in the preparation of the annual budget, especially, the estimated recurrent and capital revenues (internally generated revenue and the statutory allocations from the Federation Account, etc);
- (ii) Ensuring the receipt and custody of all revenue earning books;
- (iii) Ensuring that all revenues due to the local government are collected and brought to account;
- (iv) Arranging for the issuance of revenue earning books to revenue collectors;
- (v) Ensuring that revenue collectors come to the treasury at regular intervals for payment/checking of their records;
- (vi) Ensuring that statutory allocations received from the Federation Account or from the State Government as well as grants or other monies received from Government or other agencies are promptly and properly accounted for;
- (vii) Ensuring that action is taken where there is a delay in receiving revenue due from government or from other statutory organizations.

2.1.2: Functions of the Expenditure Section

Some of the major functions to be performed by the Expenditure Section of the Finance Department include the following:

- (1) participating in the co-ordination of expenditure estimates prepared by various Heads of departments using the following forms: LGT 1, 3, 5, 7, 7A, 9 and 10.
- (2) maintaining or verifying the records that are supposed to be kept on Forms LGT 11, 11A, 12, 12A, 40, 41, 43, 44, 45, 46, 48, 49, 50, 51, 52, 52A, 53, 54, 55, 55A, 57 – 61, 73 and 76.
- (3) Adopting various methods for checking payment vouchers, for example, for salary vouchers, there is the need to:

- (i) ensure that all computations and castings are correct;
- (ii) ensure that the voucher is authorized by the appropriate officer controlling the vote;
- (iii) compare the signature of the officer controlling the vote on the voucher with that officer controlling the vote's specimen signature in the treasury;
- (iv) ensure that there is money in the head and sub-head quoted to meet the expenditure;
- (v) ensure that the names of the payees agree with those in the Personal Emoluments Register (LGT 55) and Staff Statistics Form (LGT 55A) with a view to detecting ghost workers;
- (vi) ensure that all deductions are made;
- (vii) ensure that all allowances due are added;
- (viii) ensure that where payment is to be made by cheque, the cheque is drawn for the net salary only;
- (ix) ensure that the payees sign the voucher or where a Cash Order Form is to be used, the Cash Order Form is signed by the appropriate officer and that the voucher is recorded in the Register of outstanding vouchers.

2.1.3: The Final Accounts Section

This Section of the Treasury Department is responsible for the preparation of all financial statements of the Local Government as required by the Financial Memoranda and other laws regulating the finances of the Local Governments. The operation and maintenance of all accounting records are performed by the other sections of the Treasury and results are forwarded to this section for extraction and preparation of financial statements.

2.1.4: The Supplies Section

This section of the Treasury is responsible for purchasing all needs of the Local Government Council that are not contracted out. This section also maintains and operates all stores function of the Local Government Council.

2.1.5: Functions of the Local Government Treasurer

A Local Government Treasury is established by law and is empowered to control and manage the finances of its parent local authorities. The Treasurer therefore plays a key role in financial management in the Local Government Councils. The functions of the Local Government Treasurer as embedded in the Civil Service and Local Government Reforms of 1988 include the following:

- (i) Giving financial advice to the Council;
- (ii) Keeping proper accounting records of money received or spent;
- (iii) Verifying the correctness of all accounting records;
- (iv) Performing duties as Chief Accounts Officer of receiving and disbursing money;
- (v) Seeing that the accounting system and all instructions as laid down in the Financial Memoranda for safe custody of the Local Government Councils' money are strictly observed;
- (vi) Seeing that vouchers are correctly made out and that funds are available in the appropriate vote or account for meeting the expenditure;
- (vii) Making necessary returns to the State and Federal Governments e.g. Monthly and annual financial statements of the Local Councils;
- (viii) Being a signatory to Local Government cheques and vouchers;
- (ix) Ensuring that all revenues belonging to the council are collected;
- (x) Having responsibility for budgetary control and supervising the accounts of all departments of the Local Government;
- (xi) Maintaining efficiently run and staffed financial operations;
- (xii) Maintaining records and statistical information in such a form as well as help in the submission of prompt and accurate reports to the council;

- (xiii) Performing such other related duties as may be specified by the council or chairman of the council.

2.1.6: The Accounting Records that are Kept by the Local Government Treasurer

In order to be able to perform those functions earlier stated effectively, certain books and records of accounts must be kept, by regulation, by the Treasurer of a Local Government Council. The accounting records are kept in the form set out in the Financial Memoranda. They include the following:

- (i) The Cash Book
- (ii) Treasury Receipts Book
- (iii) The Adjustment Records such as adjustment voucher and adjustment schedule
- (iv) Departmental Vote Revenue Account (DVRA) Book
- (v) Departmental Vote Expenditure Account (DVEA) Book
- (vi) Revenue Collectors Cash Book
- (vii) Payment Voucher
- (viii) Local Purchase Order
- (ix) Cheque Books and Pay-in-slips
- (x) Bank Reconciliation Records
- (xi) Main journal Voucher.

2.2: Financial Control in the Local Government Councils

2.2.1: Types of Financial Control

The justification for control over the Local Councils may be attributed to at least three major factors, namely uniformity, enhancement of minimum standards of accountability and probity in the Local Governments and also the need for government to effectively manage the limited financial resources. There are two broad categories of financial controls in the Local Government Councils – Internal and External (Oshisami, 1992).

1. Internal Controls:

Fayemi (1991) refers to Internal control as the whole system of controls, financial or otherwise, established by management to assist it in carrying out its functions in an orderly manner, safeguard its assets, secure as far as possible the accuracy and reliability of its records, promote operational efficiency and encouraged adherence to management policies.

Internal control focuses on controllability, orderliness of operations, protection of assets and assurance of accuracy and reliability of records. In the Local Government Councils, the internal control system includes the following:

- (i) Issuance of financial authorities, such as a warrant. A warrant is an authority to incur expenditure.
- (ii) Appointment of committees such as Board of Enquiry, Audit Alarm Committee and Finance and General Purpose Committee.
- (iii) Centralization of all payments in and out of the Council.
- (iv) Preparation of standing orders and instructions on the signing of the cheques issued – payments of accounts.
- (v) Preparation of estimates of income and expenditures for the year.
- (vi) Internal Audit: This is an audit, which is conducted by an auditor who is a member of staff of the Local Government Council. He is responsible to the Chairman of the Local Government and is to report to him (FM 40, 1 & 2). He is empowered to prevent or stop fraud and irregular payments by any officer of the Local Government including the Chairman under the audit alarm system.

2. External Control:

External control is a control system operating independently of an organization or a system. It focuses on accountability and stewardship, and has certain characteristics arising from its independence, such as fairness, credibility, legality and lack of prejudice (Oshisami, 1992).

Examples of the external control measures of a Local Government Council include the following:

- (i) Parliamentary control
- (ii) State / Federal Government control
- (iii) Control by the general public. The electorate can inspect the books, accounts and audit reports of the Local Council.
- (iv) External Auditor Control: External audit is conducted by an auditor who is not a member of staff of the Local Government. Prior to the 1988 Civil Service Reforms, external auditing of Local Government operations was performed by the Auditor-General of each state. But as from 1988, the office of the Auditor-General for Local Governments was created. Thus, the principal external auditor to a Local Government is the State's Auditor-General for Local Governments. However, Chartered Accountants or firms of Chartered Accountants can also be appointed to conduct external audits of Local Governments. As the auditor is independent of the Local Government, he is in a very good position to express a free opinion on the financial affairs of the Local Government.

2.2.2: Control in Some Key Areas in the Local Government Councils

Financial controls in the Local Governments are designed to achieve economies at specific stages of revenue collection and expenditure. Among such controls are fund control, cash control, cost control, revenue control and budgetary control (Oshisami, 1992). These controls and how they are exercised are discussed below.

Funds Control: This refers to managing funds to ensure that:

- (i) they are used for authorized purposes
- (ii) they are economically and efficiently used (value-for-money concept)
- (iii) obligations and disbursements do not exceed the amounts authorized and available and
- (iv) the appropriations are not implemented without approval of the necessary authorities.

Fund control is exercised mainly through the keeping of what is called Departmental Vote Books and monitoring of appropriations.

Cash Control: This refers to the monitoring or management of cash movements to ensure that execution of projects and programmes is not stalled or disrupted by non-availability of cash. It also ensures that payments are timely for money has a time value. The best use of cash available and interest earnings (or alternatively reducing interest expenses) is the goal of effective cash management. Cash control is exercised by the preparation of cash flow statement showing a programmed cash inflow and outflow for the control period.

Cost Control: This refers to the process by which costs are ascertained with a view to their effective control. This implies economical attainment of the goals or objectives of the organization; that is, ensuring that adequate value is obtained for every Naira spent on goods and services. It also implies that the cost of collecting revenues should be as low as possible. This control is exercised by the establishment of a cost accounting system through which costs are captured, recorded and reported to specific levels of management responsible for exercising control.

Revenue Collection Control: This deals with the collection of revenues, monitoring the collection of revenues and ensuring the accountability for such collections. The purpose is to ensure timely collection of revenue due, actual collection of amount due, and accountability for what is collected, that is, ensuring that what is collected goes into the coffers of the Local

Government Council. The responsibility for monitoring of revenue collection belongs to the Treasury.

Expenditure Control: The main objective of expenditure control is to ensure that all payments are covered by the appropriate authority. It is meant to ensure that the payments are for the purposes for which they were intended. Thus, this requires the examination of such documents as invoices, purchase orders, receipt vouchers or goods received notes, contracts and contract documents.

Disbursement Control: At the Local Government level, money is disbursed through the Treasury, that is, disbursement is a centralized arrangement. However, the traditional but legal requirement that “all payments must be vouchered for on the prescribed form” must be obeyed.

Budgetary Control: This encompasses all the functions of fund control, expenditure control, revenue control and cash control. The cycle begins with the approval of the budget by the legislature and passes through budget execution and accounting, information and audit. This control is usually achieved through performance reporting, the comparison of budgets with performance, analysis of variances and taking necessary decisions (See Tables 1.1. to 2.6).

2.2.3: Finances of Local Government Councils on Nigeria Between 1993 And 2000

Looking at tables 1.1 and 1.2, the statutory allocation from the Federation Account to the Local governments has always been constituting the lion’s share of the total revenue. This has been depicted in the tables, between 1993 and 2000. For instance in 1993, statutory allocation from the Federation Account accounted for 92.2% (₦18,316.4 Million) of the total revenue of the local governments while the internally generated revenue accounted for only 5.2% (₦1,035.6 Million). In the year 2000, the statutory allocation from the Federation Account was 75% (₦102,521.3 Million) of the total revenue of all the local governments while the internally generated revenue was 5% (₦7,030.3 Million). This is an indication that there is need for greater revenue control in the local government councils in order to be able to boost the internally generated revenues of the councils, instead of depending mainly on the statutory allocation from the Federation Account.

Apart from the persistent substantial increase in the statutory allocations, there has also been an increase in the revenue obtained from Value Added Tax (VAT); especially from 1997. It increased by ₦3,519.2 Million (94%) in 1997 from the previous year’s amount while in 2000, it increased by ₦2,797.5 Million (29%) from the previous year’s amount.

With the increases in statutory allocation from the Federation Account and Value Added Tax, we can now consider the component parts of the total expenditure. In 1993, the recurrent expenditure was ₦13,966.5 Million (71.7%) as against capital expenditure of ₦5,508.8 Million (28.3%) of total expenditure. The recurrent expenditure increased to ₦16,620.1 Million (73.3%) in 1996 and to ₦90,973.6 Million (69.3%) in 2000. In 1996, the capital expenditure was ₦6,045.5 Million (26.7%) while in 2000, it was ₦40,241.9 Million (30.7%). This phenomenon is an indication that not much had been done in the area of physical development of several of the Local Governments. For instance, many roads within the jurisdiction of some Local Governments are still very bad; street lights are not provided, their health centres, maternity centres and / or cottage hospitals are not well equipped. Furthermore, many of the Local Governments do not have (profitable) investments, public toilets which can be properly maintained even if for a small token and provision of public library facilities. Instead, several of these Local Governments preferred spending a lot of money on too frequent seminars for the Local Government chairmen and other functionaries. Instead of serving its purpose, seminars became one of the conduit pipes for siphoning Local Government money into private pockets.

The overhead cost component of the total expenditure kept on increasing from year to year. For instance, it increased from ₦8,986.8 Million (39.6% of total expenditure) in 1996 to ₦37,343.3 Million (28.5% of total expenditure) in 2000. As shown in table 1.2, the overhead cost is greater in each year between 1996 and 2000, than the capital expenditure. There is need for greater control on the overhead costs.

Looking through tables 2.2 to 2.6, some local governments recorded deficits. In fact, in 1998, there was the general deficit of all the local governments of ₦2,888.9 Million while in the year 2000, a general deficit of ₦1,579.8 Million was recorded (see Table 1.2). This is an

indication that much still needs to be done to enhance financial discipline in the Nigerian Local Government Councils.

2.3: Causes of Financial Control Failures in Nigerian Local Overnment Councils

Despite the various financial controls put in place in the Local Government Councils, financial impropriety is still rampant in the recent times. For instance, in the Second Republic, cases of direct embezzlements, receipts of huge kick-backs, contract inflations, large-scale salary frauds were very common with the public office holders especially the political officers. Most of the financial controls became inoperative. The causes of failure of financial accountability can be identified as follows:

- (i) Ineffective co-ordination by the Treasury department: If the Treasury department is weak by the arrangement in co-ordinating the work of the internal auditor, this could lead to fraud. Sometimes, Treasury Returns which should be published monthly are published several months in arrears.
- (ii) Undue Haste in Effecting Payments: Payees often mount undue pressures on the officers processing the payment vouchers with the result that certain controls and checks are either inadequately applied or are deliberately outwitted.
- (iii) Ignorance of the Systems of Payment: Certain staff are ignorant of the necessary documents that should accompany a voucher, the various components of a payment voucher, and what a valid payment voucher should be. As a result of these, it is easy for people to perpetrate fraud.
- (iv) Ignorance or deliberate failure to apply knowledge of control function: In some instances, frauds are committed by the staff in the lower ranks. This indicates that some staff do not understand the controls in the system of payment and some deliberately ignore the controls even when they understand them.
- (v) In order to cover themselves, the processing clerks collude with the Internal Audit clerks to perpetrate frauds. At times, the staff of a local government may collude to take part of the internally generated revenue of the council.
- (vi) Failure of Internal Audit: Financial frauds in the local governments can be perpetrated by both the political as well as career officers. These frauds can only be executed by circumventing internal control arrangements or by breaching internal control regulations. This may occur either if because the system of internal control (including internal audit, internal check, supervision, etc) is defective or because its operators are deficient. Another issue that is worthy of mention is the leadership fraud, which undermines the entire fabric of public accountability.
- (vii) Budgetary Control Failures: These deal with the failures of properly applying the controls inherent in the object of expenditure budgeting effectively. For instance, there is failure to curb excess expenditure. This can be attributed to weak budgetary control.
- (viii) Collusion: Sometimes, some frauds are made possible by collusion of some Local Government functionaries. In this respect, once the collusion is possible, then, the financial control system of such a section breaks down; hence fraud is perpetrated.
- (ix) The impression that political officers do not have much at stake in the Local Governments like the career officers. Several of them have the feeling that they have just few years to spend and serve at the Local Government, hence they want to take away as much money as possible.

2.4: Suggested Remedies

Although it may be difficult to completely eradicate fraud from Local Government Councils, several measures could be put in place to check the incidence of fraud. Some of these measures include the following:

- (i) Effective co-ordination by the Treasury Department: All Treasury departments are mandated to monitor the reaction to the internal audit report in order to ensure that an appropriate action is taken promptly by the Chief Accounting Officer of the Council.

Most system controls are often circumvented once people become too familiar with them. It is therefore necessary that methods of payment be reviewed periodically to ascertain the extent of its operational system.

(ii) Undue Haste in Effecting Payments: During the time when vouchers are being processed, payees should be advised to keep away in order to allow their vouchers pass through the normal process.

(iii) Ignorance of the System and Control

Function:

As an antedote to this problem, the following measures should be applied: dissemination of the reasons for control systems, continuous on-the-job training, proper assessment of job performance, periodic review of job descriptions, one hundred per cent prepayment auditing to be embarked upon and deliberate effort to solve human problems particularly in the following areas:

(a) Collusion: The use of independent inspectors between paying unit and the auditing unit. Separation of receiving cashier from paying cashier; in addition to disciplinary action, full recovery of the amount involved should be made.

(b) Undue Familiarity with co-workers: Periodic rotation or transfer of personnel should be embarked upon because overstay on a post tends to enable officers to circumvent the system rather than work with it.

(iv) Financial control should be strengthened at the Local Government Councils. There should be installation of strong internal control measures, proper monitoring and effective control.

(v) Only those workers who are competent (or qualified) should be put in charge of the various financial and accounting functions. The workers should also be well-motivated.

(vi) There should be proper control on all workers of the Local Government Councils, whether political or career officers. However, there should be greater check or control on the political officers. Anybody that wants to contest for any elective post in the Local Government should be properly enlightened that he or she is going to serve the community, not to steal the council's money which is meant to be spent on providing social services for the inhabitants of that particular Local Government. This re-orientation is very crucial.

Conclusion

From the foregoing, it has been shown that there is a herculean task on the treasurer of a Local Government Council. He has to effectively monitor the collection; and undertake the custody and disbursement of the revenues of the Local Council. However, he cannot perform his functions effectively without working through other people. Moreover, even with the present financial controls installed in the Local Councils, frauds and financial impropriety are still very common. This shows the importance of people who are the operators of the rules and regulations that govern the collection and management of funds at the Local Government Level. Of course, more important still, is the quality of the people concerned in terms of their loyalty, honesty and hardwork, the prevailing economic situation of the country and, the quality and degree of monitoring and control from the higher level governments. All these would go a long way in improving or hindering the operations of the Treasury Department of a Local Government Council.

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FRAUD MANAGEMENT AND PREVENTION

OLU OMOPARIOLA

Introduction

Fraud is a term normally used to cover a wide range of white-collar crimes—from theft and malicious damage to where attempts have been made to conceal a dishonest act. It includes the unauthorized removal of money or other assets and the manipulation of internal systems, for example, the concealment of poor performance. It is not explicitly described in criminal law but, in practice, it is treated by the authorities, as a sophisticated form of theft, usually involving deceit, to obtain funds.

Fraudulent practices are common features in all the major segments of the Nigerian economy today. In spite of the sophistication which modern technology has offered the various trades and industries, the incidence of frauds which these technologies were designed to prevent and control are further perpetrated using the same technologies. The case of computer frauds easily comes to mind.

In most cases, bank frauds in Nigeria are facilitated by the connivance between the public and bankers, with bankers engineering most of the large losses through frauds. Fraudulent behaviour sometimes causes the initial losses, but once illiquidity becomes inevitable, fraud becomes common place.

Extent of Fraud

Detailed statistics on the financial cost of fraud are not available in Nigeria although an estimate has stated that companies in Britain on average, lose between two and five percent of their turnover as a result of fraud. A survey by Ernst Young in 1992¹ of 100 companies covering most commercial and industrial sectors, found that 24% had reported a fraud costing more than two hundred and fifty thousand pounds at least once in the previous two years and that 30% had reported a fraud exceeding fifty thousand pounds in the same period. More than one third had suffered a fraud, which they had never reported. When the economy goes into recession, the level of fraud usually rises—falling again with the recovery.

Incidence of fraudulent practices in the Nigerian banking system is not usually reported by the affected banks in their final accounts. However, reports in the newspapers, business journals and news items released by the National Deposit Insurance Corporation (NDIC) sometimes show that frauds and forgeries abound in the country's banking system. For instance, in its 1992 Annual Report, the NDIC published the amount lost to frauds in the industry in 1992 to be in the tune of #73.1 million or 173.980% increase over the 26.68 million in respect of 1991. These frauds were perpetrated by bank personnel in most cases, and sometimes in collaboration with outsiders².

In Indonesia in 1994, a scandal involving *Bapindo* a state development bank that has lost over \$600 million leading to a company had dredged up the murky links between Indonesian finance and politics. It has also raised fears that the problems of state banks could undermine Indonesia's financial system. The scam involves a letter of credit issued by Bapindo to Golden Key, an obscure Indonesian conglomerate. Golden Key was supposed to use the money to buy equipment for a petroleum chemical plant owned by the company. But the equipment was never bought, the money simply vanished and Bapindo is all but bust³.

Computer Fraud

Examples of computer fraud do not receive much publicity for the simple reason that the victims feel that it is in their own best interest to keep quiet. Financial institutions in particular do not like admitting that the security of their systems has been breached. Computer hacking is

far from being a myth but neither is it endemic. It is important, however, that managers should be aware of the risks involved.

It is essential to remember that computer security is a relative matter. In theory, it is possible; to create a completely secure system but the resulting cost and inconveniences would make it unattractive. The level of security implemented in consequence represents a balance of business interest. Computer >private >hankers= virtually unheard of fifteen years ago are now frequently making headlines, operating in moral and legal grey areas, seemingly daring the law to come for them. Some people commit outright robbery with a computer, but others engage in shady behaviour that raises difficult ethical questions.

There was the question of Apirates@, people who illegally copy computer discs. Anyone who has done more with a computer than play games knows that the ability to copy information is essential to the safe use of computers. The electronics world is so subject to minor disasters that most people do not want to have only a single copy of their novel or tax figures. Direct sunlight, a sudden electrical, or a careless foot can destroy hundreds of hours of work. Therefore, any prudent person makes copies or Abackup@, of important discs.

While >pirates= primarily hurt software makers, computer AA trespassers@ can hurt everyone. With a home computer, a telephone line, skill and some luck, a computer trespasser can break into almost any other computer that's hooked up to a phone line. Sometimes, these trespassers are just "A hackers", often kids who simply want to see what they can do with their computers. Increasingly, however, these trespassers are serious thieves. They can break into data banks balances. Or they can copy information and use other people's credit cards or phone numbers.

They can steal valuable oil-drilling data, or simply convince a bank computer to transfer money to their account, often in a foreign bank. An American Bar Association study found that 27% of the businesses and public agencies polled had been victims of computer crimes in the previous year. Total losses were estimated at half a billion U.S. dollars⁴.

Security Breaches

Outside attacks on computer systems are increasing. In one U.K. survey, about 25% of the companies questioned said that there had been unauthorized attempts to gain access to their system. The average cost of a security breach to a company in Britain has been estimated at nine thousand pounds (\$9,000)⁵.

The spread of computer networking has given rise to a further security problem. Every organization wishes to ensure that its corporate network is secure from unauthorized penetration. This creates a dilemma. The main virtue of networking to an organization is its ability to provide easy access to information. Yet, too much security provides a barrier to sources of information making it essential to provide a compromise. Balancing security and accessibility is a challenge.

Influences On Management Techniques

An interesting view of the growth of fraud in business was put forward in a publication issued by KPMG Peat Marwick⁶. This is the introduction of new management techniques by consultants concerned centred on the concept of management empowerment.

This has been defined in a variety of ways one of responsibility for decision making as far as possible down the chain of management. This often leads to what is usually termed >downsizing the elimination of many links in the chain of responsibility. The resulting reduction in the number of checks and balances provides opportunities to voucher up fraudulent activities. All too often, controls have been weakened or eliminated with the abolition of links in the chain of command or have been given to inexperienced members of staff. Economies in management salaries have been obtained at a high price.

In recent years, AA security of tenure@ or the tradition of Ajob for life@ has been weakened or has disappeared together with feelings of loyalty so that when opportunities for easy money with little risk occur they are taken all too easily. The most senior level management may also be affected. The prospect of high reward may encourage senior management to manipulate the results of an organization. The head of KPMG=s fraud

investigation section cite cases where managers with previously impeccable track records have resorted to corrupt methods to make their parts of the business appear successful. Again in the case of some leading businesses, there has been a large amount of accounting manipulation in their subsidiaries when the management teams responsible have found themselves unable to deliver the results expected of them.

Assessment of the measures taken by an organization to prevent fraud is a responsibility of a non-executive director of that organization. He has a need to be aware of and learn to recognize circumstances and signs that could suggest that any management fraud is possible. He should work very closely with the internal and external auditors. He must satisfy himself on the following matters:

Who is responsible at the board level for managing risk?

How could the organization be defrauded? B. Otherwise big risk may go unidentified.

What are the organization's policies in respect of fraud? A code of business ethics may be the answer.

What plans have been drawn up in order to avoid having to formulate policy in conditions of crisis?

What frauds have already occurred?

The variety of ways in which a computer system may be attacked has given rise to some colourful descriptions. For example, there are >trap doors in which part of the software is written in such a way that the security of the system is compromised. Another is the >logic bomb= where part of the software is written to trigger an operation at a later date. Most of these devices depend on the existence of a corrupt member of staff of the data processing department. Only a software specialist with an intimate knowledge of the organization software would have the skill and the opportunity to insert either of these devices.

Computer systems no matter how secure, greatly increase the opportunities for fraud. Breaches in computer security can seriously damage an organization in many ways involving loss of information and of competitive advantage as well as damage to corporate credibility and reputation. In view of these, facts the board should issue a statement on computer security policy. This statement should be clear and sufficiently detailed in its aims and brought to the notice of all relevant staff. A security manual should be prepared and issued to all senior members of computer staff.

Auditors have no obligation to detect fraud though obviously their investigations may reveal matters which indicate the likelihood of fraud and which they have a duty to report. But auditing computer systems manually has been a nightmare to firms to the extent that big corporate organizations and large audit departments such as the Nigeria National Petroleum Corporation (NNPC) and the Central Banks have all embarked on massive training schemes for their workers to enable them acquire necessary skills consistent with new technology environment in which they operate.

The issue became very worrisome as more and more evidence emerged from inquiries into failed banks that long standing frauds were committed and concealed without auditors being able to find out⁷. The audit failures can very clearly be attributed to the inability of auditors to audit computerized systems.

However, the large accounting firms all offer fraud detection services and the Institute of Chartered Accountants of Nigeria (ICAN) has recently prescribed for all accountants and auditors practising in Nigeria the use of the Audit Command Language (ACL) audit software Version Six⁸.

Prevention of Fraud

Adequate prevention of fraud is, inevitably, the responsibility of all the stakeholders as presented in Table 1.

Table 1: Responsibility For Fraud Prevention In Nigeria

FRAUD PREVENTION	RESPONSIBILITY
1. The Press	Serious investigative reporting to expose the wrongdoing of government functionaries, military officers, etc.
2. The Press	Fair and Impartial law enforcement
3. Judiciary	Fair and prompt dispensation of justice (The last hope for the common man)
4. Government	Enactment of good laws, regulations and other controls
5. Employers	Good salary and satisfactory working conditions
6. Employers	Hardwork, dedication, honesty, probity, accountability and transparency
7. The General Public	The ultimate watchdog in the modern society

Conclusion

The problem of fraud is one of the most important problems in the Nigerian economy right now.

Unfortunately, sufficient attentions are not being given to it. In this regard, the federal government should establish an office to be named AA serious Fraud Office@ to combat most serious cases of financial fraud in the country. This office should be given unique powers to increase the effectiveness of investigation and prosecution of complex financial crimes. The ultimate aim is to establish a just, speedy and commercially sensitive procedure for dealing with large-scale city crime.

The office should be armed with powers to monitor, detect and prevent crime and to advise on new rules and regulations aimed at combating money laundering.

It is only timely for employers of labour throughout the country to adopt sound manpower training and development policies. They should educate their staff on the danger of blemishing their career records if involved and found guilty of committing fraud. In the same regard, employees should be adequately remunerated while their conditions of service are improved. The employees in the public sector should enjoy security of Tenure as they used to do before the incursion of the military into the governance of this country.

Employees should be recruited on merit and not on other considerations. Professional institutions should borrow a leaf from ICAN by describing training and development programmes for their members in order to impart necessary core technology competence on them.

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FEDERALISM AND LOCAL GOVERNMENT FINANCE IN NIGERIA

F.O. FAGBOHUN

Introduction

Local government is usually created to bring government closer to the people at the grassroots and also to cater for local peculiarities which the central government or the state government in a three tier federal government as found in Nigeria. The services which are of local nature and which fall squarely under the powers of the local government are usually identified in the constitution (as in Nigeria) or under the state as found in some other countries. These services usually require enormous finance for their execution.

Local government finance in Nigeria is centered around and dependent upon the statutory allocation from the central government since many local governments cannot and do not generate enough local revenue to meet their enormous responsibilities. This is a development which has resulted in a highly centralized federal system and resultant instability and unfair revenue allocation to the lower levels of government. The local government is worse-off in this fiscal arrangement in that as a level of government, the lack of independent revenue source has taken away its autonomy and turned the institution into “beggars and paupers” who have to go cap- in- hand to seek finance from the higher tiers of government. This has seriously diminished its image, status and relevance as a level of governmental activities.

The paper takes a look at the developments in fiscal federalism in Nigeria especially the place of local government as a tier of governmental activities in the Nigerian federation as well as the institutional processes put in place to handle this issue of allocating revenue between and among the tiers of government in Nigeria.

The focus of this paper is to examine the financial position of the local government in the Nigerian federal fiscal arrangement. The paper attempts to find out whether or not the situation has witnessed any change since the introduction of revenue allocation to the local government under the 1976 reforms and other reforms carried out at this level of government especially since the return to democratic governance in 1999. The paper concludes that the local government is a very important level of government whose finances should not be toyed with if development is expected at this all important level of government and consequently overall national development.

Conceptual Clarifications:

Local Government

Local government generally refers to grassroots government or government at the local level in a political entity or country. According to Adamolekun and Rowland (1979:29) the word ‘locality’ can be defined as:

‘a contiguous and compact area where it is possible for the people to travel (by the conventional means in that area) from any part to the headquarters or focal point within two hours. The institutions of a locality so described should belong to a single community and the total population should be large enough to generate sufficient financial resources for the satisfactory performance of the functions expected of local government units in the country’

Adamolekun and Rowland thus define local government in terms of proximity and geographical contiguity as well as the communal feelings existing among the inhabitants of the area.

The United Nations office for public administration (1961:11) define local government as ‘A political sub-division of a nation (or in a federal, a state which has constitutional control of local affairs, including the powers to impose taxes or to exact labour for prescribed purposes. The government body of such an entity is elected or otherwise locally selected.’ A number of important factors emerge very clearly from the definition: that a local government is a lower level government empowered by a national government; it is set up by law and has certain responsibilities to perform; it is normally elected.

Hugh Whalen makes some additional contributions as to territory, population and legal identity when he said:

‘.....each unit of local government in any system is assumed to possess the following characteristics; a given territory and population, an institutional structure...a separate legal identity, a range of powers and functions authorized by legislation from the appropriate central or intermediate legislature and lastly within the ambit of such delegation, autonomy subject alwaysto the test of reasonableness’.

The 1976 National Guidelines for Local Government Reforms gave an official definition of Local Government as follows:

‘Government at 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, institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and federal governments in their areas, and to ensure, through devolution of functions to these councils and through the active participation of the people and their traditional institutions that local initiative and response to local needs and conditions are maximized’

In summary, before any definition of local government can be acceptable it has to have the under listed attributes:

- A truly local government must have the quality of being local
- It has to be a government
- It must focus on or be pre-occupied with the local population
- It must be of close proximity and be geographically contiguous
- There must be service provision to the local population
- It must be an autonomous and viable government in terms of finance

Federalism

Federalism in principle implies the construction of a system whereby a consensus is reached between current demands for union and the territorial diversity within an emerging society; by the creation of a single political system within which central and provincial governments are assigned coordinate authority in a manner defining both the legal and political limits of equality or subordinate functions (Forje 1981:3). According to Wheare(1964) the desire and capacity for federalism entail a number of prerequisites; geographical proximity, hope for economic advantage, desire for independence, earlier political ties, insecurity and similarity of traditional values. In sum, nations embrace federalism for one or a combination of socio-economic, political and security considerations.

A federal system of government often arises from the desire of a people to form a union without necessarily losing their identities. Federalism, therefore provide an attractive system of government especially in the context of ethnic pluralism as found in Nigeria.

The suitability or otherwise of federalism in Nigeria despite her diversified ethnic nationalities has generated a lot of academic interest (Awolowo-Dosumu 1994; Wonotanzokan 1994; Jinadu 1994; Agbaji 1998, Gana 1999) among others.

Below is a bird –eye view of the phases which Nigerian federalism could be said to have passed through;

Phase	Government Type	Federal Practices	Comments
1954-1966	Colonial/Civilian rule	Strong	Functional fully despite imperfections.
1966-1979	Military	Weak	Over centralization of private policies
1979-1983	Civil rule	Weak	Imitation of military unitarism
1983-1998	Military	v. weak	Over centralization of private policies
1999-date	Civil rule	Strong	Slow attempt to adjust to democratic practice.

Source: Updated from P. Ekeh (1997) Wilberforce Conference on Nigerian Federalism, New York in Agbu Osita *Re-inventing Federalism in Post-Transition Nigeria. African Development* Vol. xxix, No 2. 2004 pp 26-52.

Fiscal Federalism

This refers to a form of multi-level organization of the government system and of the financial relations between institutions which significantly differs from simple administrative decentralization. Federalism implies decentralization but fiscal federalism assumes that the local government institution has decision making autonomy in establishing and managing her own resources.

As originally defined by Musgarve (1959), Oats (1972) Fiscal Federalism concerns the division of public sector functions and finances among different tiers of government. This division is usually affected or determined by economic as well as political considerations.

In the federal and non-federal states the reasons for fiscal decentralization according to Vito Tanzi (2000) include;

- I. Globalization
- II. Realization by the centralization government that they cannot meet the needs of the various local constituencies
- III. The need for regional and local governments to assist the central government in development strategies
- IV. Demand for more autonomy by local leaders and politicians to enable them engage in developmental activities.

In the Keynesian framework which canvasses for an activist role for the state in economic welfare of the citizens; Three roles are performed by government viz; (I) Correcting various forms of market failure (II) Ensuring equitable distribution of Income (III) Seeking to maintain macro-economic stability. The above roles of the state in maximizing social welfare provide the basic foundation for a theory of fiscal federalism. This is what Oats (2004) refer to as fiscal decentralization wherein each tier of government attempt to provide efficient level of public goods within its jurisdiction. This role of maximizing welfare is assigned to lower tiers of

government which equally explain the need for ample finance which calls for adequate taxing powers to meet the provision of such public goods.

Apart from appropriate taxing powers, fiscal federalism theory also recognizes the need for fiscal equalization. This is a form of lumpsum transfers from the central government to decentralized governments. The purpose of fiscal equalization could be for efficiency especially to correct distorted migration patterns while the second is to provide assistance to the poorer regions or jurisdictions.

Larry Schroeder (1988) and Smoke (2001) view the objectives and evaluative criteria for intergovernmental transfer as

- (I) to equalize vertically (improve revenue adequacy)
- (II) to Equalize Horizontally(interjurisdictional redistribution)
- (III) to correct interjurisdictional Spillovers (externalities) and
- (IV) to correct major administrative weaknesses and streamline democracy.

Fiscal Federalism in Nigeria

The issue of inter-governmental fiscal relations (Fiscal federalism) has engaged the central stage in any discussion of Nigerian federalism since the federal arrangement was adopted in Nigeria. Since then, it has attracted several committees, commissions, reforms, formulars, debates etc and even minority rights to resource control controversies in the Nigeria state. Up till date, nine commissions, six military decrees, one act of legislature and two Supreme Court judgments have been resorted to in defining and modifying fiscal relationships among the component parts of the Nigerian federation.

The inconclusive political reform conference is one of the recent attempts to recapture and streamline the issue of fiscal relations but the sensitiveness and emotional attachment of the people to the issue make it inconclusive in part inspite of the overall failure of the conference. The youth restiveness in the Niger-Delta area can equally not be dissociated from the general frame of fiscal relations in the Nigeria federation.

Fiscal relations relates to how the various levels of government in a federal system constitutionally relates with one another both vertically and horizontally in sharing the financial resources of the country and in the distribution of responsibilities. Inter-governmental fiscal relations in Nigeria is often referred to as statutory allocation and it follows essentially that any discussion of the issue of inter-governmental fiscal relations is both in content and form a discussion of the federalism and the politics of revenue allocation. This has reflected in the contributions of scholars; Adedeji (1971), Philips (1980), Okigbo (1980), Danjuma (1994) and Anyanwu (1997) among others. A brief historical discussion of revenues allocation since 1946 will show what improvement and gains have been made in this sphere up to date.

1. The Phillipson Commission (1946)

Following the introduction of Richard Constitution in 1946, Sir Sydney Phillipson was commissioned to advice government on the operation of the federal revenue. Under the arrangement of certain revenues were declared regional while block allocations were made from the non-declared revenue. A major hallmark was the introduction of the principle of DERIVATION and even development.

2. Hicks Philipson Commission (1951)

- Greater revenue autonomy to the regions.
- Principle of derivation with emphasis on need and national interest.
- Recommends fair allocation between the centre and regions and between regions.

3. Chick Commission (1953)

- Emphasized principle of derivation
- Adequate fiscal autonomy for the regions

- Regionalization of boards and subsequent asset sharing on basis of derivation.
- More taxing powers to the federal government.

4. Raisman Commission (1958)

- De-emphasize derivation
- Introduced Need and national interest principles.
- Introduction of Distributable Pool Account

The attainment of independence, the discovery of crude oil and the attainment of republican status all led to agitations for a review of the work of the Raisman commission and gave birth to the Binn Commission.

5. Binn Commission (1964).

- Major task was the allocation of revenue into the distributable pool account and how to distribute this among the regions.
- Principle of fiscal need continued
- Distribution of DPA based on: population financial needs, contribution to revenue and balanced development.

6. Abovade Technical Committee on Revenue Allocation (1977)

- All federally collected revenue into a consolidated account to be shared by the levels of government. Federal 57% State 30% and Local 10% special grant account 3%.
- Introduction of local government into revenue allocation.
- 10% State Internally Generated Revenue to local governments
- Criteria for revenue sharing include: equality and access to development opportunities, minimum standard for national integration, absorptive capacity, independent revenue and minimum tax effort, and fiscal efficiency.

7. Okigbo Presidential Commission (1980)

- Sharing formula- Federal 55% State 30% Local 8% special fund 7%
- Recommendations witnessed several alternatives and modifications before being finally thrown out by the Supreme Court.

The chequered and crisis-ridden history of revenue allocation inspired the then government of Gen. Babangida to establish the National Revenue Mobilization Allocation and Fiscal Commission (NRMAFC) through decree No 9 of 1989 with a task of streamlining the issue of revenue allocation to all levels of government.

Irrespective of the criticisms and the modifications and reforms that the institution has faced, it has come to stay and be accepted as the permanent statutory body for resource allocation in the country and give constitutional backing. Successive governments have continued to accept and made use of its recommendations up to date.

Local Government and Fiscal Federalism

The local government is the third tier of activities in the Nigerian federation. From the pre-independence period to the 1976 reforms, the local government was not reckoned with either for fund allocation or for performance and rendering of services and neither does it enjoy any form of autonomy.

The 1976 reforms however radically changed the fortune of the local government and while the country was under the military as well as the presidential system of government, the local government enjoyed a pride of place until the reformed constitution again placed them at the mercy of the states. More unfortunate however is the fact that local governments no longer enjoy independence and direct funding that came along with their financial autonomy as prescribed by the 1976 reforms.

Today, the local government still a third tier of government now operate at the dictates of the higher levels of government apparently because of the financial superiority courtesy of

the constitution which placed the local government as direct appendages of the federal and state government who even monitor how local government spend their allocated funds.

The point here is that the local government is not enjoying any pride of place as a true third tier of governmental activities. The dominance or subjection of the local government is depicted in the division of taxing powers as shown below:

S/NO	TYPE OF TAX	JURISDICTION	
		Law	Administration and Collection
1.	Import duties	Federal	Federal
2.	Excise duties	Federal	Federal
3.	+Export duties	Federal	Federal
4.	Mining rents and royalties	Federal	Federal
5.	Petroleum profit tax	Federal	Federal
6.	Companies income tax	Federal	Federal
7.	Capital gains tax	Federal	Federal/ States
8.	Personal income tax (other than those listed in 9)	Federal	Federal
9.	Personal income tax: armed forces external affairs officers, non-residents, residents of the federal capital territory and Nigerian policy force.	Federal	Federal
10.	Licenses fees on television and wireless radio	Local	Local
11.	Stamp duties	Federal	Federal/ States
12.	Capital transfer tax (cut)	Federal	States
13.	Value added tax (vat)	Federal	Federal
14.	Pools letting and other betting taxes	States	States
15.	Motor vehicle and drivers' licenses	States	States
16.	Entertainment tax	States	States
17.	Land registration and survey fees	States	States
18.	Property taxes and rating	States	Local
19.	Market and trading license and fees	Local	Local
20.	Motor- pack duties	Local	Local
21.	Advertising fees	Local	Local
22.	Gift tax	State	State

Source: Constitution of the Federal Republic of Nigeria

These taxing powers are in no way commensurate with the responsibilities bestowed on the local governments which gulp their meager resources.

The local governments can therefore not generate enough revenue through local taxation and being the government closest to the people, they are under constant pressure from the citizens for performance especially using the provision of public goods as indices.

The problem of incongruence between the demands of the people and the resourcefulness cum ability to generate revenue internally has compelled the local government to mortgage their autonomy on the alter of seeking funds from the higher tiers of government.

The dynamics of Nigeria federalism according to Bello Imam and Obadan (2004) has consciously subordinated the lower tiers of government to the centre. In addition to the above Aikhomu (1992) identified the following reasons for the financial predicament of the local

governments ranging from over-dependence on statutory allocation, inability to generate revenue locally to the paucity of prudent management of the available resources of the local government.

Putting the above reasons into perspective, Olowu C.A.B (1982) advised that, however rich the national coffers is, there is still wisdom in ensuring that local governments are encouraged to tap their own financial sources, however limited they may be.

Scholars have been unanimous in accepting that despite several efforts and reforms aimed at improving the fortunes of the local government, the lack of dedication in the execution of policy programmes have rendered the implementation of the reforms efforts useless with the local government remaining in abject poverty (see the works of Adegboye (1987) Ekpo 1994, Oates (1994) Roberts (1999) Imoudu (1999).

The various discussions have shown that the local government has remained the weeping boy in the Nigerian fiscal arrangement. More unfortunate however is the fact that the much anticipated improvement in the fortune of the local government with the advent of democratic government have so far turned out to be a mirage as will be shown in the next discuss on fiscal federalism under a democratic dispensation.

Local Government and Fiscal Federalism (The Post 1999 Experience)

With the advent of a new democratic government after several years of military dictatorship it was expected that the fiscal arrangement under the new dispensation will showcase democracy in its true sense in a federal state which by implication would have given the local government its pride of place as a functional tier of government. It is however unfortunate that the government even attempted to abrogate this tier of government under the excuse of non-performance and high level corruption. How then has the local government faired up to date?

When the elected democratic government of Obasanjo came into power in 1999 the revenue allocation formula was reviewed as follows

Federal Government	48.5%
State “	24%
Local “	20%
FCT “	1%
General Ecology	2%
Stabilization	0.5%
Derivation	1%
OMPADEC	3%

Several changes took place courtesy of the federal government which did not recognize the local government as a single entity but rather created a state /Local Government Joint account into which funds for the local government are paid and to be managed and disbursed by the states. This re-enacted spending limits for local officials, deductions from local government funds at the state level such as funds for eco-project, ALGON levy and other state designed deductions that pauperized the local government all combined to further deteriorate the status and financial viability of the local government..

The 1999 constitution placed the local government directly under the states such that each state had the power to create and manage its own system of local government. This was a contradiction of the gains of a uniform system in the 1976 reforms. This created a lot of hue and cry as states that dared to create local government were asked to revert back to the status-quo and where that is not the case, the federal government wielded the big stick by “seizing” the funds meant for the local government of such states. More disturbing is the fact that even after the highest court of the land ruled against the action in the case of Lagos State the central government did not take any remedial actions.

The whole scenario apart from posing a serious danger for democratic government and the rule of law also show a collapse of the federal system which Nigeria lay claim to as more of Unitarianism was demonstrated while on the other hand the pitiable and fluid position of the

local government was brought to limelight- it cannot be rightly labeled the third autonomous and co-equal level of government activities in the line of classical federalism.

Conclusion: The Challenges and The Way Forward

One common trend noticeable in the history of fiscal federalism in Nigeria is that the local governments as the third tier have always been at a disadvantage. Since the local governments are closest to the people it should be made a show-piece of participatory democracy and centres of development. This however is not to be because the higher tiers of government are no doubt not favourably disposed towards empowering the local government and local officials. They therefore came up with excuses that the local government needed to be reformed (while the higher levels are certified okay by implication).

The biggest challenge to the local government from the chequered history of fiscal federalism in Nigeria is the urgent need to work towards financial independence or endeavour to generate a substantial level of local revenue to stop the excessive reliance and over-dependence of this level on statutory allocation. According to Ikhida (1999) statutory allocation accounted for 80% to 90% of local government revenue in Nigeria whereas local governments in developed nations rely more on internally generated revenue. Atoyebi and Oyedokun (1986), Onimode (2001) attest to the fact that most functions of local authorities in the United States are executed with internally generated funds. This is not to say that grants and revenue sharing does not occur in these countries.

The need to boost internally generated revenue also calls to question the calibre and quality of officials at the local government level. The ability to come up with brilliant ideas about how to source for revenue and the ingenuity needed to execute such policies call for improved standard of personnel and quality political class and not just making the local government a theatre for never-do-well local politicians who have nothing to offer. By implication therefore there is need to review the qualification of would-be local government officials to ensure a level of education that could understand developmental issues and the whole essence of grassroots governance and consequently make appropriate legislation for same. This is equally applicable to the other higher tiers of government.

There is the need to mobilize and sensitize the local populace to get them to embrace the payment of local taxes. This sensitization about their civic duties also calls for transparency and accountability on the part of local government officials such that the local populace will not only feel involved in their own government but have a trust and confidence that will enhance democratic governance and developmental initiatives.

Though evidence from empirical studies have shown that a lot of the chief executives of local governments do not have what it takes to head such important tier of government but more unfortunate is the fact that democracy in Nigeria of today is no longer seen as government of the people for the interest of the people which could have even be better demonstrated through good local governance. Instead of service delivery to the people, the new order is to amass wealth at the expense of democracy and development.

The anti-corruption crusade seem to have neglected the local government especially since there had never been any audit alarm or anywhere where the people will raise their voices against the local chief executives for not doing what they were elected or appointed to do. The reason for this docility of the people might not be unconnected with the compromised posture of the traditional rulers, the tendency towards a one party state and the undue respect and worship of the rich by the society which has made everyone to want to join if they cannot beat courtesy of the premium on wealth by the society. If this trend is left unattended to, it will not only spell doom for the local government but also the overall developmental goal and the 20-2020 dream of Nigeria.(that Nigeria will be among the twenty developed and industrialized nations of the world by the year 2020.)

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CRIME REPORTING AND INFORMATION MANAGEMENT: THE NIGERIAN EXPERIENCE

A.A. IDOWU

Abstract

In all human societies at present, crimes have become very difficult to manage, control and eradicate. One of the reasons for this unfortunate phenomenon is the serious problem of obtaining information about crimes and giving adequate reports on them to the law enforcement agents. In countries where there are effective means of policing, detention and apprehension of criminals through reliable information devices are cardinal items in the policies of the government to rid society of undesirable elements. In Nigeria, the rate of crimes increases on daily basis due to various factors which include: The inability of the law enforcement agents, particularly the police to have regular access to authentic information about criminals, the difficulty arising from reporting crimes to law enforcement agents by members of the public, general problems of insecurity in the nation and of course, the latest sophisticated patterns of criminal behaviour of people in the society.

Attempts are made in this article to use relevant literature, electronic and print media, statutory and judicial authorities to access the impact of crime reporting and information management by relevant authorities on crime control and prevention in Nigeria.

Introduction

Throughout the modern world, crimes are often regarded as unlawful acts against the state and the people. Since peace is the pivot to national stability, the concern of every government is to make laws prohibiting acts *contra bonos mores et decorum*¹. The police in particular and other law enforcement agents carry the Yoke of detecting, apprehending and arresting offenders². As the rate of crimes increase in the society however, the overall responsibility of apprehension of offenders becomes those of the police, other law enforcement agents and members of the public. This is why the police have been clamouring that the force personnel are friends of the people who in turn, should help them to protect lives and property. This task can only be properly attained if there are effective devices for members of the public to report crimes to the police and for the police to obtain authentic information about crimes in the society.

Unfortunately in Nigeria, crime reporting and information management have been very difficult to realise in the efforts of getting rid of criminals in the society. This article begins with some operational definitions followed by an examination of sources of information and acts of reporting crimes. It goes on to consider various authorities to which crimes can be reported, obligations on part of the citizens to report crime and the implications of crime reporting on the affairs of citizens and the state.

Crime

In ancient times, crimes were not defined officially and did not involve official actions but were private matters. Individuals who were wronged would either seek retribution against the wrongdoer or from his family. This early concept of personal Justice of 'an eye for an eye' was well established in the Code of Hammurabi 1900 B.C, the Roman tablets of laws 450 B.C and the old Mosaic Code in the Greek society³. Happily, this system broke down when the family structure changed and private vengeance became difficult if not impossible to enforce. Later, the concept of crime developed but was confined to acts committed against the King.

Eventually, the King, representing the state, realised that the peace of the community was at stake and so, decreed that when a person was wronged, that act should be reported to the king, who would take action for punishment. Hence, the phrase 'keeping the peace of the king' developed ⁴.

Following the births of Renaissance and Reformation as well as the development of societies with different types of governments and democratic institutions, the status and functions of kings in the society became that of the State and its government. Hence, every crime is now deemed, not only against individuals but also against the state.

In Law, a crime or public offence is an act committed or omitted in violation of those duties which an individual owes to the state and to which is attached a combination of punishments like imprisonment, fine, removal from office, suspension or even death penalty ⁵. It can also be defined as an international act or omission in violation of criminal law (statutory or case law) committed without defence or justification and sanctioned by the state as an offence, a felony or misdemeanour ⁶. A felony is often classified as a serious or grievous offence committed with wicked and malicious intention. It normally attracts very stiff and unpardonable punishment. A misdemeanour is an offence lower than felony attracting lesser punishments like fines or short periods of imprisonment ⁷. No matter the degree of an offence, it really becomes an unlawful act when it is made known to the State. Hence, the importance of crime reporting and information management is in effects at combating crime in the society.

Reporting and Information Management

Reporting a crime is to give an account of an offence committed by a person. It is also a process of giving news about an offence known to have been perpetrated by a person, individual or group of persons ⁸. The word information in this context means to give or supply news or knowledge about an offence or a criminal act known to have been committed ⁹. The idea comprises of the following issues: -

Who can Report a Crime?

Apart from penal provisions which empower a private person to arrest an individual reasonably suspected to be committing a crime, the constitution of the Federal Republic of Nigeria 1999, also imposes civil obligation on citizens to render assistance to appropriate and lawful agencies in the maintenance of law and order ¹⁰. No doubt, this obligation presupposes the duty of every citizen to giving relevant information about crimes in any part of Nigeria. On the other hand, sections 13 and 15 of the Criminal Procedure Act ¹¹ also give enough powers to a private person, as well as Judges and Magistrates to arrest persons found committing any offence in their presence.

All law enforcement agents particularly police officers, have statutory duties stipulated in their enabling laws ¹² to prevent and detect crime and to apprehend offenders. It may be worthy of note that acts of preventing and detecting crime and those of apprehending offenders will, by no means, necessarily include reporting crime to the State for appropriate penal sanctions.

Acts of Reporting and Giving Information about Crimes

In order to curb crimes in the society, acts of reporting and giving information about criminals may take any of the following forms:

- (a) By giving account of what is seen about crime to a relevant authority or law enforcement agent.
- (b) By relating and giving account of what is perceived about crime to a relevant authority.
- (c) By narrating the account of what is heard about crime to a relevant authority.

Information / Reporting Media

The above stated acts of reporting and giving information about crime may also be done through any of the following media.

- (a) Physical contact by words of mouth.
- (b) Physical contact by words of mouth and writing.
- (c) Making contact by writing through personal delivery, postage and e-mails
- (d) Verbal contact by writing through radio, walkie-talkie, television, telephone, hand-sets.
- (e) Physical contact by signals for deaf and dumb.

Contact Authorities

Reports and information about crime can be made to the following law enforcement agencies:

- (i) The Police
- (ii) The State Security Service
- (iii) The Army
- (iv) The Air force
- (v) The Navy
- (vi) The Presidential Guards
- (vii) Road Safety Commission
- (viii) Civil Defence Corps
- (ix) Reputable Legislative, Executive and Judicial Authorities
- (x) Responsible and Dependable citizens or elder Statesmen.
- (xi) Organised Private Citizens.
- (xii) Members of the Diplomatic Corps.

Management of Reports and Information about Crimes

It is important at this stage to mention that the overall success of efforts by all stakeholders mentioned above to rid society of crimes depends on effective management of reports and information about crime given by various individuals. The concept of information management in this regard can be interpreted in the following perspectives.

- (1) That the law enforcement agents must appreciate the fact that any capable person in the society can give any report or information about crime.
- (2) That every report or information about crime must be handled courteously and with dispatch.
- (3) That every report or information regarding crime no matter how small or big must be considered as useful in tracing the cause of causes of a crime.
- (4) That every information must be treated as utmost secret.
- (5) That no matter the degree of distortions in any information or set of reports, efforts must be made to effect a reasonable proportion of analysis by the law enforcement agent concerned.
- (6) That law enforcement agents must always undertake a systematic and scientific separation of conflicted reports or information about any crime.
- (7) That the interest, safety, protection and confidence of the reporter or informer must be adequately guaranteed or at all times.
- (8) That every instrument used to give a report or information about crime must be preserved and held in proper custody by the relevant law enforcement agent.

Implications of Crime Reporting

Just as crime reporting is of great essence to the control or possible eradication of crimes in the society, so also the sensitive nature of its socio-legal implications. These implications can be illustrated as follows.

- (i) That certain unlawful acts or act must have been committed by a person or group of persons which necessitate a report or information to law enforcement agents.

- (ii) That the reporter or informer must ensure the correctness and accuracy of his information about the incident being reported otherwise, he may be held liable in law.
- (iii) That the report or informer must have made up his or her mind to give testimony about the incident being reported if called upon to do so by a competent authority like a court of law.
- (iv) That the person to whom a crime is being reported must realise that he is acting under a legal authority to act according to law.
- (v) That the reporter or informer must have realised that his interest, safety, protection and confidence would be guaranteed.
- (vi) That the reporter or informer may pay dearly in the hands of criminals if his or her identity is revealed by the law enforcement agents or agent involved.
- (vii) That criminal also appreciates the efforts being made by members of the Public to report their unlawful activities. Hence, they are ready at all times, to change their strategies and modernise their modus operandi.
- (viii) That modern trend in crime reporting and information management involves much financial and human resources being committed by governments of developing nations.
- (ix) That good and authentic reports as well as reliable information about crime will go a long way to reduce crime in the society.
- (x) That the extent to which reports and information about crimes are being managed in reducing the rate of crimes in the society is a reflection of the quality of law enforcement personnel and their standard of professionalism.

Conclusion: Observations and Recommendations

Every society consists of individuals with different socio-cultural backgrounds competing for many interests of a conflicting nature. Hence, crime can never be totally eradicated. It has been observed over the years in Nigeria, that some of the factors complicating the criminal nature of the nation's society include: inefficient law enforcement agents, mismanagement of information and reports on crimes, poor education, nonchalant attitude of Nigerians to the maintenance of law and order, inefficient recruitment policies and poor conditions of service for the police and other law enforcement agents as well as general poverty among the people. On the basis of the foregoing the following recommendations are hereby put forward:

- (1) The police and other law enforcement agents must be trained more regularly on acts of policing and effective management of reports and information on crime.
- (2) Members of the public must be educated on their civic responsibilities of reporting crimes and be assured of their protection and safety in the course of doing so.
- (3) Provisions must be enshrined in all the Armed Forces laws to stipulate appropriate punishments for law enforcement agents who reveal the identity of a crime reporter or an informer, thereby exposing them to dangers and anxieties.
- (4) Government at all levels must intensify their efforts at eradicating poverty and providing employment opportunities for the people to reduce crime in the country.
- (5) Finally, getting rid of crimes in the society through adequate reports and information is not only the function of law enforcement agents but also that of all members of the public. The society can only be a pride of place to live in, if the yokes of Crime reporting and effective information management are borne by all.

References

1. Latin: Acts or offence contrary to good morals and public good.
2. See for instance, section 4 of the Police Act, cap. 359, Laws of Federation of Nigeria, 1990
3. Professor Sue Titus Reed; *Crime and Criminology* (1976), Holt, Rinehart and Winston Press, Tulsa, U.S.A P. 4

4. *Ibid.*
5. *Black's Law Dictionary* (1979) West Publishers, USA, P.334.
6. Paul Tappan; *Crime, Justice and Correction_* (1960) McGraw- Hill Publishers, New York, P.10
7. *Black's Law Dictionary* (1979), *Supra* P. 901. Under the Nigerian Criminal Law, Section 3 of the Criminal Code, Cap. 77 Laws of Federation of Nigeria, 1990 categories offences as felonies, misdemeanours and simple offences. A felony is any offence declared by law to be a felony punishable with death penalty or with imprisonment for three years or more. A misdemeanour is any offence declared by law as a misdemeanour punishable by imprisonment for not less than six months but less than three years. All offence, other than felonies and misdemeanours are simple offences.
8. *See, The Advanced learner's Dictionary of Current English_*(1965) OUP, London, PP 506 and 533, for the English Language meaning of the word 'Report' and 'Information.
9. *Ibid.*
10. Section 24
11. Cap 80, Laws of Federation of Nigeria, 1990.
12. See section 4 of the Police Act, *op. Cit*; Section 8 of the customs and Excise Management Act, Cap 84 Laws of Federation of Nigeria, 1990; section 11 (5) of the Road Safety Commission Act, Cap. 141, Laws of Federation of Nigeria 1990; section 2 (2) of the Private Guard and Companies Act, Cap, 367, Laws of Federation of Nigeria, 1990; Section 4 (2) of the Nigeria Army Act, Cap, 294, Laws of Federation of Nigeria, (LFN) 1990; section 1 (2) of the Navy Act, Cap. 288 LFN, 1990 and section 1 (2) of the Air Force Act, Cap. 15, LFN, 1990.

THE ROLES OF COMMUNITY BASED ORGANISATIONS (CBOS) AND NON-GOVERNMENTAL ORGANIZATIONS (NGOs) IN CRIME PREVENTION AND CONTROL IN NIGERIA

O. T. AKANBI

Background to the Paper

The Nigerian public as well as the International Community has become weary and disenchanted by the inefficient performance of state-based institutions of governance in Nigeria. The current intellectual debates on the worthiness and legitimacy of modern states in Africa even reflect this general unpleasant disposition. The views of Wunsch and Olowu (1995), Richard Joseph (1995), William Zartman (1991), and other scholars of repute attest to this position.

Ordinarily, the state is expected to be the harbinger of security. State institutions, especially the Police are expected to safeguard human rights, life and property of the common man. Unfortunately, the reverse seems to be the case in the Nigerian context because the police force appears to have been captured by the power elites.

Indeed, given the failure of state-based institutions in charge of security matters in providing security, peace and order, informal and quasi-formal community-based arrangements have tended to replace or complement state efforts.

In this paper therefore, the specific roles of certain community-based organisations (CBOs for short) and non-governmental organisations (NGOs) in preventing and controlling crimes in Nigeria will be properly put on the agenda and appraised.

Paper Outlay

This paper is laid out in five sections namely;

1. Crime: The intellectual state of the Art,
2. The Nigerian state, crime and the quest for peace,
3. The roles of CBOs and NGOs in crime prevention and control,
4. An assessment of state-based institutions and policies, and
5. Concluding remarks and recommendations.

We shall take each of these sections one after the other.

1. Crime: The Intellectual State of the Art

Crime has a long history. It in fact started with the first generation of humans on the surface of the earth, if one is to go by the account of the Holy Bible. In the account, Adam and Eve defied God's instruction. They did what was good in their own sight and damned whatever ensuing repercussion of their act. Consequently, they were cursed. Their child, Cain was the first human being to commit murder. He killed his own

brother, Abel. God went on once again to place another curse on him and made him a vagabond. If one continues with the Biblical account, it is one that contains series of terrible crimes such as murder, raiding, child-theft, arson, armed robbery, gangsterism etc. etc.

The fourth United Nations Congress on the Prevention of Crime and Treatment of Offenders held in Kyoto, Japan in August 1970 states that “crime in all its forms saps the energies of a nation and undermines its efforts to achieve more wholesome environment and a better life for its people” (UN 1992:5). In a similar vein, the Report of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (1980) states that crime:

... impairs the overall development of nations, undermines people’s spiritual and material well being, compromises human dignity and creates a climate of fear and violence that endangers personal security and erodes the quality of life... (UN 1992:6).

In fact, crime has been a global crisis such that as far back as 1994, the economic cost of the harm done by urban violence alone was estimated as exceeding several trillion dollars (Human Development Report (1992). In the word of Clifford (1974:XI) “Crime is more than a national loss in materials or productive capacity. It is usually a real danger to peace-loving citizens, a dissipation of scarce human resources, and, of course, above all, a personal tragedy both in victims and offenders”.

Crime is like any other social vice that cannot be eradicated in any society but which can only be minimised. The simple explanation for this is that the world order is basically impure; thus to expect a society totally rid of all vices is to be expecting eldorado in an imperfect human society. This is just a dream, which can never be realised. Although crime is quintessentially evil, yet it can serve some positive functions. For example, Odekunle (1993:47) opines that “crime somehow reflects the quality of life; and criminal victimisation definitely affects the quality of life. It is therefore a problem that has to be tackled within the context of development”. Odekunle (1992:45) also considers the damaging consequences of the menace in the excerpt below:

The cost of the problem to the citizens in terms of material loss, deprivation of limb, even of life is incalculable. The cost in terms of socio-psychological feeling of insecurity affects freedom of movement and social relations as well as African traditional hospitality (e.g. welcoming a stranger to one’s home, giving a ride to a stranger, or stopping on the higher way to assist someone whose vehicle has broken down). Again the cost of precaution is another indication of the enormity of the problem e.g. the amount of money (and energy expended) nowadays, particularly in urban areas, on the security of an office, a house or a car, in some of our countries. Importantly, the cost detracts from the quality of life – the main objective of the much-vaunted “economic” development...there is the cost to the government itself in terms of credibility. For any government’s enjoyment of public confidence depends (in part, at least) on some apparent effectiveness in preventing, controlling criminal victimisation and thereby increasing population’s feeling of security.

Scholars like Oladoyin (2004), Olomoshua (2000) and Alimi (2004), are of the view that since the state is not sufficiently equipped with the wherewithal to ensure general/societal peace and security, the collaborative approach called synergy is recommended. At any rate, it is necessary to look more critically at the nature of the Nigerian state and crime.

2. The Nigerian State, Crime and the Quest for Peace

The consensus in the literature on the Nigerian state is that it is a product of British colonialism and the colonial impetus enshrined in the state has continued to haunt it to date. First, the Nigerian state is an alien state not based on the consensus of the elements that make it up; hence the futile efforts to make united, a natural system that is diverse. (Eteng, 2004:38-39) presents a collection of the pejorative descriptions of the Nigerian state as follows:

- 'A country without a nation, a common language, a common tradition and an indigenous name'.
- 'A mere geographical expression' (Bode Thomas and Chief Awolowo, 1947), on account of which a "common Nigerian nationality...is a complete misnomer" (Awolowo, 1968:237).
- 'A mere collection of self-contained and mutually independent native states separated by great distance, differences in history, tradition, and ethnographical, racial, tribal, political, social and religious barriers' (Hugh Clifford, 1920).
- 'A mere British intension' (Tafawa Balewa, during the pre-independence conferences of the 1950s).
- 'The most artificial of any administrative units created in the course of British occupation of Africa' (Malcom Halley, 1955).
- 'A notoriously precarious lumping together of peoples of separate identities..' (Rupert Emerson, 1960).
- 'A state existing without a universally acceptable or understood rationality for its functioning' (Harry Bretton, ed.).
- 'A country whose unity has no basis' (Gowon, 1966).

The colonial legacy rather than assure peace and unity has promoted the upsurge in the formulation of ethnic militias, violence, armed robbery, street gansterism, and other forms of crimes in the federation. The nation, which could have been the appealing point of mediation in a case of crisis has apparently failed in that capacity, hence, everybody tends to withdraw back into his/her cocoon, which is the local community or ethnic group.

Let us now consider a number of cases of criminal acts in Nigeria. *The Guardian* (10/04/93:12) reports:

...At home, on the streets, and in the work place, the story is the same. Armed hoodlums strike at will, often with insolent ease and gratuitous brutality, robbing maiming and killing victims. Cars, cash, jewellery and electronic appliances are especially prized but any other article is fair game. And the operation is carried out usually in broad daylight, or in well lit premises. The premises may be as well fortified as a medieval castle, but that would only slow down the raiders at best. And when they gain entry, they fall upon the occupants with sadistic brutality for wasting their time. Some of these operations last as long as three hours. Sometimes, houses on an entire street are raided. Unarmed and frightened witless, the residents are enable to lift a finger. Telephone calls to the police produce no immediate relief.

This rather long excerpt succinctly captures the scenario of armed robbery in Nigeria. It has even moved to major roads within major cities where one sees armed robbers freely raiding a long queue of cars, collecting handsets and carting them away in sacks. The temerity with which they operate is bewildering particularly as they have also shifted the frontiers of their operations to churches and church yards. In one major church in Ibadan in 2004, some cross border thieves attended a

full service with members of the church and after the service they waited by the targeted cars of interest, snatched the cars and formed a long motorcade as they rode away. Things have indeed gone extremely bad in Nigeria as far as armed robbery is concerned. Banks are freely raided and even bullion vans with police escort are not spared. Tables 1 and 2 below are statistics on armed robbery between 1983 and 1993.

Table 1: Number of Robbery Cases 1983-1987

Command	1983	1984	1985	1986	1987	Total
Abuja	9	5	2	—	—	16
Anambra	179	99	52	69	62	1461
Bauchi	6	10	27	5	22	70
Bendel	223	113	109	68	115	628
Benue	16	59	70	37	46	228
Borno	33	48	58	103	35	277
C/River	107	41	58	36	25	267
Gongola	22	31	17	27	30	127
Imo	100	83	89	68	31	371
Kaduna	101	66	68	34	17	286
Kano	84	71	17	28	21	221
Kwara	21	22	21	12	26	102
Lagos	247	387	341	323	84	1382
Niger	33	19	23	25	4	104
Ogun	109	114	100	137	71	531
Ondo	31	30	45	16	16	138
Oyo	16	58	81	104	22	281
Plateau	43	30	28	20	8	129
Rivers	91	30	41	19	13	194
Sokoto	4	9	2	—	4	33
Railway	12	8	1	—	—	23
P.A.P	2	11	9	8	—	30
FORCID	4	38	32	80	32	18
Total	1493	1382	1291	1235	684	6085

Source: Nigeria Police Force, Lagos, 1988.

Table 2: Number of Reported Armed Robbery Cases by State (1989-1993)

Command	1989	1990	1991	1992	1993
Abuja (FCT)	9	4	2	20	70
Adamawa/Taraba	59	87	46	51	70
Akwa Ibom	73	44	59	78	86
Anambra/Enugu	102	94	124	174	203
Bauchi	59	28	33	42	93
Benue	55	61	59	60	33
Borno/Yobe	150	41	33	65	108
C/River	3	17	23	19	37
Edo/Delta	381	567	48	321	320
Imo/Abia	118	129	66	91	94
Kaduna	19	43	36	42	45
Kano/Jigawa	66	50	42	49	98
Kastina	16	18	21	18	26
Kwara/Kogi	23	57	30	64	62
Lagos	99	95	68	107	272

Niger	24	37	28	53	37
Ogun	60	32	35	25	50
Ondo	56	57	63	46	54
Oyo/Osun	66	30	91	111	97
Plateau	42	74	76	51	34
Rivers	42	36	36	34	83
Sokoto/Kebbi	21	8	17	34	27
Total	1493	1382	1291	1235	684

Source: Nigeria Police Force, *Annual Abstract of Statistics*, 1995 edition, FOS, Lagos F.C.T. – Federal Capital Territory, 1994.

Street gangsterism is another form of crime in Nigeria. In this case, quite a number of boys (majorly) probably from broken homes or without adequate care from their homes have become social deviants and in order to eke out living for themselves have resorted to street gangsterism. They sleep under Lagos bridges (Albert, 1994, 1998:35; Olutayo 1994:191-280; Bamishaiye, 1974). From this group of boys, a good number of armed robbers have been generated. A tremendous growth was recorded for this group of boys at the introduction of the structural adjustment programme (SAP). The street gangs in some areas are well organised within their neighbourhood that they refer to them as “Area boys”. This phenomenon is popular among the Isale-Eko boys of Lagos.

Albert (1998:38) identifies another category of “area boys” as

...those who have become affluent through different kinds of criminal activities. They print fake currencies, credit cards, international passports and visas and specialise in the forgery of all kinds of documents. They organise scams (popularly known as “advance fees fraud” or “419.” This category of area boys are considered to be the best organised and best dressed.

The phenomenon of “area boys” cuts across most cities and regions of Nigeria. Their form and content of operation are similar. In the Northern cities of Nigeria e.g. Kano, Jos, Maiduguri, we have the “Yandaba” or Yantauri (meaning invulnerables); Yanbanga or Yansintiri (Sentry); and there are also the “Yan dankar amarya” (those who specialise on forcing young girls to their husband’s homes and earn their living from such jobs). The area boys in the Eastern and Southern part of the country do not have special names but only operate as touts.

Another form of crime which is prominent in Nigeria is cultism in tertiary institutions of learning. There are campus confraternities such as the Pirates, Mafia, Buccaneers, Black beret, Green berets, Barracuda, Amazons, Eiye Black Axe, Black Cat etc. The activities of these cults disturb the peace and stability on our campuses (Ogunbameru, 1997).

Another major form of public violence in Nigeria comes out in the activities of feuding contiguous communities (that fight or struggle) over land, political positions, religious differences and political opportunities. Instances of these criminal practices can be found in communities like Ile-Ife, Kano, Kaduna, Bauchi, Warri, Jos, Umuleri, Iju-Itaogbolu, Ilaje, Sapele to mention but a few. In each of these crises situations, lives and properties running to billions of Naira have been lost.

The crime of drug trafficking and related offences is also prominent among middle age people and youths. Marijuana, cocaine and heroine are transited or consumed in large quantity in Nigeria. Emafo (1990:19) reports that:

...there is sufficient evidence now to show that Nigeria is not only a transit port for cocaine and heroine in illicit international traffic. Nigeria is also a consumer country for illicit cocaine and heroine. The extent of spread of this habit is, however, yet to be fully assessed.

Ritual killings, children's kidnaps, children trafficking, women trafficking and international prostitution are also prominent forms of crime in Nigeria. We are all witnesses to the recent Okijia "corpses and skills" which are still being investigated of the Nigeria police.

3. Roles of CBOs/NGOs in Crime Prevention and Control in Nigeria

A number of community-based organisations such as, landlords associations, ethnic militias, vigilante groups, hunters' associations, night watch-men associations have been playing very crucial roles in the prevention and control of crimes in their respective communities.

Sampled cases of Landlords' Associations in Osun State show that members of such association organise themselves to hire the services of night watch-men, most of who are members of one ethnic militia or the other.

- They tax themselves by contributing a token sum of money on a monthly basis for the services of the hired watchmen.
- Secondly, they mandate members to report suspected criminal residents and collectively eject such residents; and sometimes report confirmed cases to the police.
- Thirdly, they join in vigilante activities during critical periods of burglary.
- Fourthly, landlords associations are responsible for erecting barricades at the entrances of streets or quarters.
- Fifthly, they impose restrictions on movement from 10.pm to 5.am, such that anyone apprehended during the prohibited period is arrested and dealt with in the community way.

Hunters and Night Watchmen Associations

Both groups function in a similar way. In urban and semi-urban communities, the activities of the night watchmen are notable, whereas, the hunters associations play prominent roles in the villages. Their roles are as follows:

- Actual keeping of vigil and watching throughout the night. Any person arrested is usually subjected to interrogation, which if convincing may attract the mercy of the watchmen, in which the person is accompanied to where he/she is going; otherwise, the person is asked to carry a stone or something else; and he is compelled to carry it around throughout the night.
- They form a league to check crime. In this case, night watchmen in contiguous areas meet and agree that, they should offer themselves helping hands in critical times. The affected night watchmen blows the whistle and others promptly come to the rescue.
- Nowadays, night watchmen assist police on patrol in the night by reporting cases and places of crime. Thereafter, they combine to flush out the hoodlums.

Vigilante Groups and Activities

The vigilante groups are formed by volunteers within a community, which could either be tenants or landlords or both. In the villages on the other hand, hunters usually form the bulk of the membership of vigilante associations. Their roles are similar to the roles of landlords. They are organised; and they shun greed, hypocrisy and theft among their members. Usually, they are loyal to the head of the community.

Ethnic Militias

These are para-military groups composed of civilians who have some form of military training and are in possession of light arms but heavily equipped with trusted African charms (Juju). Examples are Oodua Peoples Congress (OPC); Bakassi Boys; Arewa People's Congress (APC) and Egbesu boys. (Guardian 11/1/01, Sesay, Ukeje, Aina and Odebiyi 2003:20). Each of these militia groups has her major objectives which can be taken to mean roles, but it is

important to state the perceived roles from the observers' point of view. These functions include the following:

- Correcting social ills. In this case they force petrol attendants to sell at prescribed rates. Their presence alone is a security assurance for the people. They are indeed feared by touts, thieves and hoodlums. They execute jungle justice for people found to be security risk to the community; they either kill them or maim them. They also investigate and expose criminals to public shame and ridicule.
- They serve as bodyguards to credible leaders. Examples are some local government chairmen and state governors and sundry dignitaries.
- They also serve as night watch guards.

The other functions of these groups do not border on security but against national security, if critically examined.

4. An Assessment of State-based Institutions and Policies

Principally, the police occupies the centre stage in crime prevention and control. Other related forces are the custom; immigration, task force, special squads and the military. Unfortunately, all the principal institutions namely the police, the judiciary, custom service, the immigration service and the National Drug Law Enforcement Agency (NDLEA) have failed in the discharge of their statutory functions. (Erero & Oladoyin 2000:280-282). In the same vein, the code of conduct bureau, code of conduct tribunal, public complaint, commission, public accounts committee as well as other quasi-judicial bodies have not fared better in the discharge of their duties (Ibid, 284-286).

Nwolise O.B.C. (1989), states that "the police as agent of law did not only fail to check and deal with election riggers for example, they (police) participated actively in election rigging". Arms flow into the country un-hindered and worse still, the policemen themselves loan their arms to men of underworld (Olusegun Obasanjo, 2004).

Assessment of Policies/Institutions

Successive regimes in Nigeria have one major policy or the other on crime prevention and control. We have had the War Against Indiscipline (WAI); War Against Indiscipline and Corruption (WAI-C), Public Alarm Committee; Independent Commission on Corrupt Practices (ICPC), Oputa Panel etc. Virtually all the policies and structures have left much to be desired. The Oputa panel for example produced no serious deterrence after all to prospective national economic swindlers. It only proved that some people in Nigeria are above the law. In spite of the public Alarm Committee, whistle or alarm blowing has not been heard. The special anti-crime squad in different states with different appellations have not also helped in actual case of highway robbery. It is not to say that no success was recorded at all but the point is that they more often than not arrive at robbery or crime incidence after the criminal operation. Most policies die with the regime that instituted them. The problem of continuity in government has been a serious one.

Concluding Remarks and Policy Recommendations

In a related context, Olowu and Erero (1997) argued that:

The formal structures of Government in Nigeria (and much of Africa) have increasingly become a fiction in governance. The services they provide have declined sharply in quality and quantity. In several respects, these services are no longer being delivered by government agencies but by alternative institutional arrangements. These alternatives, are either private or community based

Without much argument, it is clear that the above is also applicable to the Nigeria Police. This has been demonstrated adequately in this paper. However, it should be noted that these alternatives (NGOs and CBOs) are also plagued with problems which make them incapable of providing for security and preventing crime on their own.

What is required in our judgement is a synergistic arrangement anchored on co-production strategies. Both the police and the NGOs/CBOs need to collaborate more in the joint pursuit of security, provision and crime prevention. Police weaknesses would be compensated for by the strength of NGOs/CBOs while the weaknesses of NGOs/CBOs will be compensated for by the strength of the police.

The details and intricacies of such collaborative effort (some are already in existence) will need to be worked out by those entrusted with the formulation of policy for security provision and crime prevention.

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POLICY FORMULATION, IMPLEMENTATION AND EVALUATION IN THE NIGERIAN PUBLIC SERVICE

AKPOMUVIRE MUKORO

Introduction

The policy of government...will have no taint of officialdom about it. It will not be the creation of permanent officials, but of statesmen whose responsibility to public opinion will be directed and inevitable.
(Woodrow Wilson - 1887).

The study of public administration has this paradigm of dichotomy deeply entrenched which separates politics from administration¹. This Wilsonian outlook has soulmates in several other American scholars in the field of public administration. Goodnow on his part said;

There are then, in all governmental systems, two primary or ultimate functions of government, viz the expression of the will of the state and the execution of that will. There are also in all states separate organs each of which is mainly busied with the discharge of one of these functions. These functions are respectively politics and administration².

A second school of thought different from that earlier expressed believes that there cannot be a rigid compartmentalization between politics and administration. It contends that public administration is policy making which is an integral part of politics whereby the people (sovereign) participate in governance and are able to control whatever government does³. From whatever angle one may want to look at it, an important point of convergence establish that politics and administration or decision-making and implementation process consist of political officials whose tenure of office terminates when their mandate expires and career officials who are appointed on permanent basis.

Decision-making or policy formulation is used interchangeably. They both imply “a course setting involving decisions of the widest ramifications and longest time perspective in the life of an organisation”⁴. Decision-making involves a process in which events, circumstances, and information precipitate a choice designed to achieve some desired result. Public policy allows government to assume a parent’s role in citizens’ lives⁵. In the opinion of Herbert Simon “administrative processes are decisional process, they consist in segregating certain elements in the decisions of members of the organization, and establishing regular organizational procedure to select and determine these elements and to communicate them to the members concerned”⁶.

Government policy making (formulation) or decision making is the response of government to stimuli coming from both external and internal environments⁷. This means what the government does in responding to its environment and its structures. It involves three processes according to Ripley. These are statements, actions and results⁸. By policy statement or decision, we mean the declaration or intent of government. Policy action or implementation implies what the government actually does as distinguished from what it says it is going to do in its policy statement. A policy result or evaluation implies what happens in society as a result of government policy statements and actions⁹.

A principal reason for the existence of any government stems from the nature of some of the general functions that must be performed in a society-functions that affect all or nearly all of the citizens in a given nation or territorial area. Policy makers in government above all, “have to determine goals as well as means”¹⁰. In these and other respects, the prime factors of

time, circumstance and leadership play decisive roles. These roles that governments have to play are articulated through the public service.

Public service “means the totality of services that are organized under public authority”¹¹. No matter how well meaning and how ably articulated national development programmes may be, they can not be successfully implemented without the public service¹². It is the public service that governments use to translate its policy decisions into concrete action. To be able to fulfil the social contract in governance, governments need to create the necessary space for the evolution and development of the institutions of civil society, as these are essential for both social and economic development¹³.

Theoretical Framework and the Policy Process

The relationship that exists between the politicians, public servants and the citizenry is rather very sociological. In this respect, organizations are seen as miniature societies or social entities formed when a group of independent individuals according to Parsons “combine and interact in an ordered fashion, for the purpose of achieving certain goals”¹⁴. Thus, just as different societies have different cultural beliefs or dominant ideologies about important aspects of social interaction and activity, so organizations, having particular origins and specific purposes, develop dominant ideologies governing such things as what are desirable goals and outlooks for their members, what behavioural patterns are helpful and acceptable and which are not. Olsen defines a social system as “a model of a social organization that possesses a distinctive total unity beyond its component parts, that is distinguishable from its environment by a clearly defined boundary, and whose subunits are inter-related within relatively stable patterns of social order”¹⁵. In this definition is the requirement for a stable pattern of social order since this implies the need for recurrent and ordered social interactions between organizational subunits, department, ministries and government establishment. Socialization as have been argued refers to the process whereby an individual with a potential for a very wide range of behaviour is led to develop actual behaviour patterns which are within the range of what is customary and acceptable according to the general standards or laid down policy decisions. In all of these, what we have to know is that the secret of organizational success based on good policies lies in gaining an understanding of the people’s (Public) feelings and what is required for organizations to work smoothly through the improvement of worker’s morale and the achievement of commitment rather than on the imposition of rigid application of mechanical procedures as takes place under centralized systems of government.

The policy process conceptually involves a set of interconnected elements and linkages directly or indirectly related to one another and determine the outcome of government action for public good. The policy process takes place under the stages of policy formulation, policy implementation and policy evaluation environment. Importantly, the environment under which decisions or policies are made can be classified into 3 major groups:

- (1) Decision making under certainty
- (2) Decision making under risk
- (3) Decision making under uncertainty¹⁶.

Decision-making under certainty implies that decisions are made with full knowledge of the occurrence of an event. When decisions are made under risk, it means that accurate knowledge about the probability distribution of the consequences of each alternative exists. While decisions made under uncertain periods means that the consequence of each choice cannot be defined by a correspondence relationship even within a probabilistic framework¹⁷. No matter the environment under which policies or decisions are made, they arise from group efforts or initiative, committee actions and individual choice or action. In the public service, both group and committee decision making is more common except at the managerial level where individual initiatives may be accepted in periods of emergency. Such initiatives are however brought for ratification when periods of stability have been attained.

In the public realm, policy formulation, implementation and evaluation are impinged upon by the factors from the environment. These are cultural, historical, sociological and economic

variables, which influence the policy process system in different ways¹⁸. Victor Ayeni outlined the following variables as the fulcrum upon which decision-making, implementation and evaluation in the civil service can be understood and carried out. These are:

- (a) The structure and competence of the political leadership
- (b) Political philosophy and leadership disposition.
- (c) Historical legacy
- (d) Economic well-being
- (e) Prevailing socio-cultural values
- (f) Extent of collective and individual influence of civil servants
- (g) The degree and form of cohesion of civil service and
- (h) The extent of co-operative and or counter-vailing push from other individual or institutional actors within the policy process¹⁹.

The political history of Nigeria together with its philosophical, cultural, socio-economic, military involvement in politics etc., have stimulated very influential and powerful role for civil servants in the policy process. Efforts to check civil service influence have been pursued in characteristic military style, in somewhat arbitrary, erratic manner and with heavy premium on adjusting power differentials amongst key social interests and groups to the neglect of fundamental problems of implementation and technical competence in the civil service. According to Ayeni, “the military has lost in both ways: unable to significantly minimize civil service dominance of policy formulation side by side with a poor implementation record”²⁰.

A sketchy outlook of decision-making or process is examined below:

(A) Formulation of Policy:

Governmental decision-making is the responsibility of the political executive. The executive in turn is responsible for its actions before the legislature who are representatives of the people. Traditionally, policymaking is considered the responsibility of political functionaries while career officials are mere policy executors. But Adamolekun put up an argument that “The result of all these is that in the determination of governmental policies, career administrators play an important role”²¹. The reason for this position is that very few students of the policy-making process would today limit a consideration of those who make policies to the debate over the respective roles of political executives and the career officials. Existing studies of the decision making process in several countries show that policy or decision making is a complex exercise which involves a large number of actors. No serious study of decision-making in America will fail to assign an important role to the congress and the judiciary.

In the Nigerian situation, because of the frequency with which the military takes over the reign of government and because of the innate nature of its aberration, the civil servant have come to occupy a position of eminence in the process of policy formulations. In this light, Alex Gboyega wrote that “Between 1966 and 1975, higher civil servants not only dominated the policy arena but also discarded the much cherished principles of political anonymity”²². The collapse of the Gowon administration in 1975 and the determination of the new military administration to restore a democratic system of government afforded the opportunity to correct the aberrant behaviour of the higher civil servants who often were increasingly political in their stance and public comments.

The 1988 reform is in response to the presumed malaise besetting the civil service and it was meant to recommend ways in which efficiency and effectiveness could be injected into the system. But like most other superficial institutional reforms in Nigeria, the reforms failed to achieve their envisaged result. The erratic changes that tend to occur in civil military relationship created doubt whether or not this relationship has roots only in ideological disposition of the military in government. In line with Max Weber’s bureaucratic indispensability, it is safe to argue that the military will have no choice than to seek the co-operation of the civil service. Also, in trying to seek legitimacy for their governments, the civil service is courted. The military and all these help to distort the formulation of policy, which

therefore necessitates the need to seek for buffer²³ in order to consolidate self in power, equally court traditional rulers.

Importantly, the formulation of policy has to develop techniques that would bring about

- (a) Cost effectiveness analysis
- (b) Cost benefit analysis
- (c) The idea of opportunity cost
- (d) The construction and use of models

Cost effectiveness analysis helps to determine which alternative is the most efficient for achieving the given objective. On the other hand, cost benefits analysis helps to determine whether an efficient alternative is in fact worth its cost. Opportunity cost refers to the cost of what will be given up by choosing a given alternative. The cost benefit analysis is most popular out of the lot because it identifies and weighs the costs and benefits of various policy options such that the policy maker is in good position to know the balance of costs against benefits to be derived from the specific option that he chooses²⁴.

Under a democratic set-up, the political executive in league with his advisers and assistants come up with necessary policy proposals, which are then passed to the legislature for ratification. The process, through which decision proposals or bills are passed to the legislature from the executive for it to become law or a true policy, is the prerogative of the legislature.

Policy Implementation

Adebayo Adedeji gave a very clear insight into what policy implementation is all about. He said:

In any country and particularly in a developing country, the politician and the bureaucrat are of strategic importance. The politician must provide leadership. To do this effectively he must have a vision of change and the gift of making the people see that vision through his own eyes. It is however, the civil servant who must not only bring the vision down to earth and translate it into practicable policy, but also ensure its proper execution once the policy has been accepted²⁵.

In this, we can see the central directional role that political leadership has to play, however, consideration must be given to the civil servant who has been portrayed as the implementer or executor of government policies and programmes. We must not lose sight of the fact that at this stage, a lot of bottlenecks can be encountered as a result of factors from the environment that may determine what direction that particular policy has to follow. One fact that is however indisputable is that the implementation of a rational policy has to possess the characteristics of being specific and focused, to know what medium the implementation has to be carried out, to be conscious of the environment in which the policy is to be executed and lastly to be aware of those that constitute the target audience.

The implementation of government decision rest with the bureaucracy and everyone – the citizens, interests groups, governmental units and their bureaucracies have vested interest in policies and their outcomes.

Evaluation of Policy Decisions.

A good policy has to have a feedback mechanism built into the decision process. This is to provide for continuous testing against actual events of the expectations that underlie the decisions²⁶. Few decision works out the way they are intended. Unless there is feedback done through evaluation, policy design and implementation will not produce desired results.

In the view of Adamolekun, “three sets of activities are involved in the evaluation of policies²⁷. These are measuring outputs, comparing output performance against the desired result, and correcting any deviations or inadequacies. We carry out evaluation because we want to know whether a programme works²⁸ or not, that is to test the efficiency and effectiveness

level of the programme. This is where the systems approach to policy evaluation has popularity because it imposes some form of policy evaluation model from the on-set that is now used as a yardstick for measurement after the supposed programme has been accomplished.

When government make policies, they are influenced by public opinion, political parties, voting and elections and interest groups. It is upon these determinants that policies are also evaluated.

Decision Making Models

In line with the position of many social scientists, there are different approaches or models for tackling the issue of decision-making. Iboje²⁹ and Adamolekun³⁰ have rational comprehensive, incremental, mixed scanning and satisficing models for decision-making.

Rational Comprehensive Model:

This model of decision-making advocates logic as a tool of decision-making. The approach considers all possible alternatives, cost-benefit analysis and the choice of the best alternative systems like P.P.B.S in policy analysis relies on the rational comprehensive models of decision-making. Charles Lindblom science of muddling through is used to describe that highly scientific approach of successive limited comparisons. Through the mechanism of mutual adjustment, co-ordination of policy can be achieved without the guiding hand of some centralized policy body inspired by some notion of dominant common purpose³¹. For Lindblom, reliance on mutual adjustment amounts to a practical recognition of the reality of the power structure in a pluralistic society.

A major hindrance of this model is that “it is not always easy for the decision-maker to be completely informed about every aspect of a problem to enable him anticipate all the consequences of any given decision”³². The rational-comprehensive model is good in itself because of the features of (1) clarification of values (2) means-ends analysis (3) choice of most appropriate means to achieve desired ends (4) comprehensive analysis (5) analysis that is theory based. But many public officers do not have the time and patience to subject their decisions to these rigours.

Incremental Model:

This model recognize that in their decision making, administrators start with an existing body of policies, the most recent funding levels of programmes, the store of knowledge each participant has of other participants views, and the resources they can mobilize to influence the outcome of the process. The strength of this model is that, it reflects the society’s commitment to gradual change and accepts the pluralism that exists among clientele groups and within public agencies³³.

The incremental model is a short term decision making model that responds to immediate needs without much consideration for long term results. Public decision makers because of its political expediary prefer this model. Agreements are easily reached because most of what it involves is a modification of existing programmes. The major hindrance here is that only the privilege class will have their say and their way³⁴. Innovations are also not favourably considered as it may learn more on the rational incremental model.

Mixed Scanning Model:

This is a middle course approach between incrementalism and rational comprehensive model. The reason being that situations happen differently and in seeking solutions to their problems, any of the previous two models or a combination of both would do. Etzioni suggested this model.

Yehezkel Dror calls this model the optimal model that seeks to integrate and supplement the strength of the models previously discussed while avoiding their weaknesses. As Dror points out:

*the more complex and novel the alternatives are, the less will rational methods be able to predict their effects and the more must judgements, hunches and similar extra-rational process be relied upon...*³⁵

One major advantage of mixed scanning is that it distinguishes between fundamental and non-fundamental decisions. But Adamolekun complained that the model is not clear on how practicing administrators are supposed to apply the mixed scanning model³⁶.

Satisfying Model:

Herbert Simon and James coined this model March in 1959. They wrote that while the rational 'economic man' endeavour to maximize, the 'administrative man' satisfices³⁷. The administrative man looks for a course of action that is satisfactory or 'good enough'. This approach does not have the time to examine choices so long as the available resources can be put to manageable role. The techniques used by this model are:

- (1) Use only existing agency resources that one's superiors would expect to be used in the process of making a decision.
- (2) Arrange compromises among the various affected elements of the organization.
- (3) Avoid formulating explicit goals and policies in order to avoid the unnecessary conflict that such explicitness may generate³⁸.

Conclusion

Decision or policy making is an exercise that involves a lot of risk and the possibility of failure. However, its importance in organizations cannot be underestimated. That is the reason why this concept has attracted scholars from different background.

What has to be understood is that by making a decision, we are trying to create or re-create our future, in which there must always be problems and benefits, which poses challenges. These are the challenges which the various models of decision making and the policy process would help a leader and administrator to overcome, so that there would be minimal stress in the system. A good policy or decision should not only strive to make itself adaptive or reactive, it should be made creative and proactive. In the views of Victor Uchendu; a good policy "should be designed to exploit opportunities which may be readily available"³⁹. Policy makers and implementers must always be conscious of the fact that it is the lives of the people (the ultimate sovereign) that is at stake.

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AN X-RAY OF THE FUNCTIONS OF LOCAL GOVERNMENT COUNCILORS IN THE LOCAL GOVERNMENT SET UP IN NIGERIA

I.A. ADEWALE

Introduction

Local government in Nigeria is unique in the sense that regardless of size, density of population, financial viability, rural-urban nature, all the 774 local government councils in Nigeria have same structures. Asides structure, the salaries and remunerations of political functionaries at this level of government are also expected to be same and are expected to be fixed by the Revenue Mobilisation and Fiscal Commission. Local governments in Nigeria have similarly been put under the control of the states by virtue of the 1999 Constitution of the Federal Republic of Nigeria. The states therefore, determine and fix the tenure of local government in the states. In the forth republic and between 1999 and 2003, some states operated the parliamentary local government system while some operated with the presidential local government system. The states also have powers to create local governments and as well determine the powers and functions of the Chairman, the councilors and other political and career staff of the local governments.

In discussing the functions of the Local Government Councilors in Nigeria, attention must therefore be paid to the fact that, whether under parliamentary or federal local government systems the states can decide to make the councilors to be either functional or non-functional. For instance between 1999 and 2003, many councilors did not even know what their functions were particularly, the non-portfolio councilors. The resultant effect of this arrangement is non-performance or poor performance of councilors in terms of social services delivery to their wards and inputs into governance at the local government level.

Given the above scenario, it is important to examine what ought to be the salient functions of councilors in the local government set up in Nigeria. For purpose of clarity, a brief description of the process of policy making and implementation of the local governments level would be made. Thereafter, the functions of local government councilors would be considered under three main perspectives. First, the universal broad functions of councilors, second the non-portfolio councilors and third, the portfolio councilors in Nigeria. The last and final part of the paper would attempt to draw conclusions.

Policy Making and Implementation at Local Level

Every society, institution and organization, according to Flanigan and Fogelman (1981), have functions to perform and there should be structures that perform these functions. At the elementary level, the functions are food, clothing, shelter, etc and the structure that carries them out is the economy. At the secondary level, the function is reproduction which is carried out by the biological structure. At the third level of function is the system maintenance (culture and myths). And this is carried out by the sociological structure of family, schools, workplace, peer groups, etc. The fourth level is the mechanism by which public decisions are made and this can be described as the methods by which each individual will be allocated his functions in the successful decision making and this is carried out by political structure.

Politics is the distribution of limited amount of values between demands and there is no single formula for making the distribution, we only have political straggles. Thus when the budget is drafted and presented to the legislature by the President, all the demands from the various interest groups are important to the group but each interest group will put pressure on the Legislature for positive result. Politics therefore is a game of choice involving a zero-sum game. It is a game that is very vicious and thus a good politician must be ready for compromise.

According to Milbrath and Goel (1977) decision making in every system must attain the general consent of the people and this identifies the legitimacy of the political system. In a system that does not have legitimacy, the use of force may be resorted to – the Military for instance, makes use of force. In most federal systems, the decision making lies with the Central, State and Local governments and their various agencies, while in the Unitary it lies with the Central and Local governments and their agencies. Since every polity has a collective decision making body, whatever decision that comes out are supposed to reflect the odds of the people. The odds can be made to bear upon the decision making body by participation.

Generally the policy makers could be classified into two viz official and unofficial. The official policy makers are those who possess legal authority to engage in the formulation of public policies. Among these official policy makers are: the Legislatures i.e. those concerned with the tasks of law making and policy formulation in a political system; there are the Executives who are for the implementation of the policy made and upon whom the effectiveness of government depends, making use of the administrative systems which differ throughout the world with respect to size and complexity, hierarchical organization and the degree of autonomy. The courts are also part of the official policy makers.

The court notably national and State appellate have often greatly affected the nature and content of public policy through the exercise powers of Judicial review and statutory interpretations in cases brought before them. Judicial review being the power of courts to determine the constitutionality of actions of Legislature and the executive branches and declare them null and void if such actions are found to be in conflict with the constitution.

The unofficial participants are designated as unofficial participants because important or dominant as they be in various situation, they themselves do not usually possess legal authority to make binding policy. The interest groups such as those representing organised labour, business, and agriculture are a major source of demand for policy action by public officials.

There are also the political parties. The political parties on their own, are concerned with power than policy in modern societies, they often perform a function of demands articulation and aggregation. This is to say, they seek to convert the interests of the individuals and interest groups into policy alternatives.

There is finally the individual citizens who should not be neglected in discussions of policy making. These actors or policy makers and their levels of political involvement or policy making or influencing, as revealed by most scholars of political science for most countries, could be represented diagrammatically.

Hierarchy of Political Involvement

The hierarchy of political involvement as outlined by Milbrath and Goel is indicated below:

1. Holding Political Office;
2. Being a candidate;
3. Soliciting political funds;
4. Attending a caucus or party strategic meetings;
5. Active member of a party;
6. Contributing time to campaigning;
7. Attending poll meeting or rally;
8. Monetary contribution to a party;
9. Discussing politics with a political leader;
10. Wearing button or sticker;
11. Persuading others to vote;
12. Initiating a Political Discussion
13. Voting; and
14. Exposing yourself to a political standing.

At this junction, it is necessary to explain what is meant by the policy makers environment. Since policy makers do not exist or operate in a vacuum, the environment in which they are

situated is of paramount importance. Every society has a culture that differentiates the value and lifestyles of its members from those of other societies.

The social legacy the people acquire in line with David Easton (1957), may be regarded as that part of the environment that is the creation of man. Equally political culture is transmitted from one generation to another through socialisation processes and the differences in public policy and policy making in various countries or societies is a reflection of the differing political culture.

Following David Easton, in the environment, we have such systems as the ecology, economy, culture, personality, social structure and demography. Each of these constitutes a major set of variables in the setting that helps to shape the kinds of demands entering a political system. The members of every society act within the framework of an ongoing culture that shapes their general goals, specific objectives, and the procedures that the members feel ought to be used. Every culture derives part of its unique quality from the fact that it emphasizes one or more special aspects of behaviour and this strategic emphasis serves to differentiate it from other cultures with respect to the demands that it generates. The culture embodies the standards of value in a society and thereby marks out areas of potential conflict, if the value things are in short supply relative to demand. The typical demands that will find their way into the political process will concern the manners in which conflicts are labeled important by the culture. For this reason we cannot hope to understand the nature of the demands presenting themselves for political settlement unless we are ready to explore systematically and intensively their connection with the culture.

At the same time, it is necessary to point out that not all demands originate or have their major locus in the environment. Important types stem from situations occurring within a political system itself.

Typically, in every on-going system, demands may emerge for alterations in the political relationships of the members themselves, as a result of dissatisfaction stemming from these relationships.

The Chairman and the Councilors in Policy Making and Implementation

The policy, the policy makers, and the environment are interdependent variables. The Chairmen and the Councilors are in the position of the official policy makers while the Council Secretaries and their staff are official implementers. The former are political officials while the latter are non-political officials. They at least do not have to go back to the electorates to test their popularity.

On the other hand both have to operate within the context of an environment, whether elected or not, officials of any local government may become unpopular. The unpopularity of such officials may be demonstrated by way of negative participation by the masses or the electors.

The Chairman is the overall boss of a local government under the present system, but he must also recognize the importance of the Councilors who like himself are mandated officials. The two classes of officials are elected to carry out the administration of their local government. They must note that they are strictly and properly obliged to give account of their actions to their Local Government and to the State and even to the entire nation. It is possible that elected officials must have come from different towns or wards but they must note that they are a member of that great body which comprehends the whole local government or the State as the case may be. It is not therefore for the Chairman's Ward, or Councilor B's Ward, or Councilor C's Ward, but for the whole local Government, that the members chosen are sent to serve. Selfishness and greed which characterized the earlier experiments of democratic governance at the State/national levels must not be extended to the local government. This on the other hand can be achieved if the policy makers, the implementers make and implement policies that reflect the demands of the people. They are the decision making bodies at the local level, and demands from the environment must be reflected in their decisions. They should encourage positive participation not only from the people that is, the farmers, the Community association and age grades, the religious leaders and the student associations. The Business Entrepreneurs and others in the community must equally be considered in policy formulation

and execution. In short there should be what Edmund Burke (1979) called virtual representation. This according to him “ is that in which there is a communion of interests and a sympathy in feelings and desires, between those who act in the name of any description of people, and the people in whose name they act.

The relationship between the Chairmen and the Councilors, the Secretaries and other staff of the Local Government must be cordial. This is necessary if conflicts and contradictions hindering policy making and policy implementation in the environment are to be checked.

Finally, it is important to note that policy implementation basically depends on.

1. Knowing what you want to do;
2. The availability of the required resources;
3. The ability to marshal and control these resources to achieve the desired end; and
4. If others are to carry out the tasks, communicating what is wanted and controlling their performance.

Broad Functions of Councilors

The broad functions of councilors worldwide have been given by United Nations Centre for Human Settlements (Habitat, 2001). The Habitat summarized the functions of the councilor to include:

- (a) A power broker
- (b) A financier
- (c) A decision-maker
- (d) A facilitator
- (e) A policy maker
- (f) An institution builder
- (g) A leader
- (h) An enabler
- (i) A communicator
- (j) A negotiator
- (k) An overseer

As envisaged by the *Habitat*, the councilor must be broad minded and averagely educated so as to be able to comprehend his numerous and important functions in the local government. In line with this, the National Revenue Mobilisation, Allocation and Fiscal Commission in Nigeria between 1999 and 2003 increased the salaries and remunerations of councilors so that quality men and women would be attracted to the job. The extent to which this has been achieved is not within the context of this article.

We shall now examine each of these road functions as presented by Habitat.

Decision Maker:

A councilor must make decisions and in making decisions he must be able to know that he must of necessity solve problems. In solving problems he must know what a problem is, when an issue is a problem and why is an issue a problem. He must wisely create options after considering resources and he must be a good timer.

Negotiator:

A good councilor is a good negotiator. He negotiates based on principle. He knows how to manage emotions. He gets his fact straight that is whether an issue is administrative or legal. He adheres to principle. He does not condemn anyone before hearing his/her side of the case. Finally in his negotiation, he ensures that the public must not be short changed

Facilitator:

The councilor must be good facilitator. He must know how to present an opinion or how to introduce an opinion or how to introduce a discussion. He must learn and know how to make people talk. He must similarly learn how to direct discussions or ask someone to direct the discussions. He must also be very careful in making a summary of any discussion.

Team Leader:

For the councilor to be a good team leader he/she must be competent and be result-oriented. Openness, trust, integrity are all ingredients of a good leader. He must of necessity lead by example. He must not ask the people to make sacrifices he himself is not ready to make. He must avoid lavish and extravagant or even ostentatious lifestyle.

Institution Builder:

As an institution builder, the councilor must understand what an organization is and what an effective organization is. He must see the local government as an institution which must have values such as transparency and responsiveness. He must also know that an effective institution or organization must emphasise result, must have a mission or purpose, must have clarity of objectives, must have agreed values and philosophy, must be sensitive to the external environment. A proper understanding of all these by the councilor and a desire to practice them with other things being equal make the councilor a good institution builder.

A Power Breaker:

The councilor is a power broker and as a power he must understand the concept of power. He must understand as well the usages of power and must learn to know and always bear in mind that just as the source of power may be easily identifiable, the outcome of power may not be easily determinable. He must therefore learn to exercise restraint in the exercise of power.

A Financier;

A councilor is a financier. He must learn to know what community financing entails. He must understand what budgets and budgeting are. He must ensure that the revenue base of the council is not deteriorating. He must know the principles guiding local government finances. He must be familiar with the financial memoranda at the local government level.

Policy Maker:

Councilors are policy makers for their communities. As policy maker a councilor must see his role as providing opportunity to shape the future of his community by ensuring that programmes and services that are important to the citizens are given precedent over all other ones. Policies are important because they put government issues facing the community. As policy makers you must be concerned with direction and results.

An Enabler:

The enabling role for the councilor falls somewhere between facilitating and empowering. Facilitating is the uses of human relation skills (persuasion/motivation/group process) to help others do better what they have decided to do anyway. As an enabler, the councilor must recognize the advantage of community-based service delivery and problem-solving. He must bear in mind that enabling is a strategy or process of mobilizing community resources and diverting decision-making to those who use these resources to meet their needs. Councilor should have network of contacts and resources they can tap to get things done for, and wit their wards.

As Communicator:

The councilor as communicator must know what communicating means. He must know that to communicate, the receiver must receive the message you are communicating. Active listening is surely a good virtue of a councilor when it comes to being in touch with the community. Citizen surveys are another good means of communicating with the wards or the community.

The councilor must know that communication is often only as effective as our ability to reconcile our perceptions of the world around us to with those who share the same space.

As Overseer:

The councilor as an overseer has responsibility for overseeing the performance of programmes and services that are going on in the community. He has to oversee the implementation of programmes and services going on in his local government. He must close the implementation gap before it has a chance to gaps. He must ensure that the local government develops a sound monitoring and evaluation system. He must not be too over-zealous so as not to lose his effectiveness.

THE FUNCTIONS OF NON-PORTFOLIO COUNCILORS IN NIGERIA

Local Government Council Meeting:

1. He/she must be ready to give and unbiased advice in meetings
2. A councilor must support the decided decision of the council even when she/he did not support the idea at the onset.
3. No councilor may commit the local government to any policy which has not been agreed upon by the council- The principle of corporate responsibility must be adhered to.
4. Loyalty to the state policies and directives must be applied strictly so as to ensure total and integrated development.
5. Councilor must fully understand the standing orders of their councils and must observe all council rules for example, when the chairman speaks other persons may not speak. This is to facilitate a smooth debate and to avoid disorderly debate.

General Conduct

1. Must be committed to their duties. As leaders, must be prepared to work harder and longer hours than their subordinates.
2. Councilors must not in normal circumstances issue instructions to Local Government employees in the case of councilor with portfolio he/she will issue instructions to his/her Head of Department whose responsibility will be to give orders to staff.
3. Avoid interfering with the judiciary or act in such a way that he would be suspected of such interference.

Staff Matters

Councilors must ensure that staff matters and in particular appointment promotion and staff discipline are dealt with by appropriate committee without fear or favour.

Finance

Councilors should not normally control votes. They are however, to check and supervise the control of local government funds by Heads of Department. They must ensure that cases of extravagance or improper expenditure or of failure to collect revenue etc are properly investigated.

Touring

- Councilors must tour the wards frequently to be aware of the feedings and complaints of the people.
- Councilors without portfolios should normally tout their constituencies and may their discretion explain reasons leading to policy decisions but must not disclose any matters or personal opinions of members given in committee, which is always held in secret.

Politics

Councilors are advised not to partake in politics during working hours but at liberty to do so after working hours. A Councilor must make a distinction between his/her personal sentiments and that of the Local Government as a corporate body.

DUTIES AND RESPONSIBILITIES OF COUNCILORS WITH PORTFOLIOS**Policy**

He/she bears responsibility for implementing councils policy and although all major matters of policy must first be referred to council a councilor is expected to take decisions on matters of lesser importance within the policy already decided upon without further reference to council.

The councilor deals with policy and should not be involved in detailed work of the departments he supervises He/She should give instructions to only Heads of Department and not to subordinate staff.

A councilor should be responsible for checking through his/her Head of Department; the revenue is being properly, collected and regularly paid into the treasury as laid down in the financial memoranda. A councilor should not control any votes although must be responsible for ensuring that Local Government funds are spent honestly, wisely, and for the purpose for which they were allocated and that stores are put to their proper use.

A councilor must be responsible for ensuring that audit queries affecting his/her portfolio are answered without delay. This must be acknowledged within two weeks and relied within two months.

Relationship with Government Officers

Councilors should maintain close and friendly relations with appropriate government officers at all times.

Councilors must permit a ministry representative to give advice direct to a Head of Department on professional matters.

Councilors must ensure that ministry representations are consulted when the annual estimates are being prepared.

General conduct

Councilors must insist at all times on efficiency, punctuality, and honesty among the staff of the departments which he supervises and must set example in these matters.

Touring

Councilors are required to inspect all aspects of the works in their departments. They should tour frequently and before embarking on tour relevant reports affecting the local government are to be toured must be studied similarly a councilor must submit the touring itinerary to other councilors and must enquire about any project or works that should be inspected in the area to be toured.

Reports

A councilor must keep the Local Government Council informed at regular intervals of the functioning of the departments within his/her portfolio.

Delegation

Councilors must delegate the making of all non-policy routine decision to his/her heads of departments or their subordinates; thinly avoiding the reaction of any bottleneck in administration.

Resignation

It is the duty of a portfolio councilor to resign if he cannot conscientiously carry out the policy of his/her or that of government. The alternative to this is to loyalty accept the decision of the majority.

Role of Local Government from 5 perspectives

Roles relative to their particular Local Governments

- Roles relative to people of the Local Government
- Instrument of good and effective public relations between people and officials of local government.
- Inter local and generally inter-governmental relations
- Roles relative to themselves as councilors.

These can broadly be classified as

- (a) Policy formulators
- (b) Instrument for good and effective public relations
- (c) Promoters of smooth inter-local government and generally Inter-governmental relations.
- (d) Role of councilors relative to local government career officials
- (e) Roles of councilors as public officials.

The functions of councilors in the local government system of Nigeria to be ascertained or defined. Each state of the federation between 1999 and 2003 attempted to define the functions expected of councilors and in most cases such exercises failed to achieve the desired results. Attempts have therefore been made in this article to present broad perspectives of the roles of councilors from which the group states of the Federal Republic of Nigeria can draw up functions for the councilors. Governance at the third tier of government, that is, the local government is important to the nascent democracy and an attempt at making government at this level to be service oriented would go a long way in consolidating governance at the other two tiers of government. Councilors need to know and understand what roles are expected of them at the local government. Unfortunately, councilors in the last political dispensation, performed far below the expectations of people that elected them into power.

The expectations of scholars and practitioners of local government in Nigeria with regard to the important roles of councilors have also not been met, at least as far as contribution of the councilors to good governance at the local government level is concerned. This attempt is expected to serve as a guide to councilor and policy makers at the local government level as well as other functionaries concerned with local government affairs in Nigeria.

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WOMEN INTEREST ORGANIZATIONS: ENCOUNTERS WITH THE STATE ON ISSUES OF GOOD GOVERNANCE: A CASE STUDY OF WOMEN IN NIGERIA

IYABO OLOJEDE

Introduction

Nigeria attained political independence in 1960. The leadership change from colonialists to indigenous ruling class had no significant changes in the lives of masses. Governance became characterized by misrule, arbitrariness and corruption. Since colonial rule, several civil societies inclusive of Women in Nigeria (WIN) were in the forefront of political struggles. They were involved in the defense of collective interests of their members as well as championing societal cause against the autocratic state (Barkan, McNurlty and Ayeni, 1991:457-780). Prominent among these civil societies was the Southern Nigerian Women's Association (Eastern Region), which was in the forefront of protection of political good of their communities (Mba, 1997:166). In the Western region, the Abeokuta Women's Union (AWU) projected the special interests of women, which they sought protection for AWU was set up among others to:

- (i) Defend, protect, preserve and promote the social, economic, cultural and political rights of women in Egbaland
- (ii) To cooperate with all organizations seeking and fighting genuinely and selflessly for the economic and political freedom and independence of the people.

Globalization and its manifest characteristics such as universalization of institutions, practices and structures, civil society organizations in Nigeria as elsewhere in Africa received increased impetus. Since 1980's several civil societies with specific political aspirations and roles emerged, their goals are essentially political and they attempt to limit the state power as it impinges on transparency and political accountability. These organizations have been very active in these roles since 1980's. WIN is organized around women's interests which is consciously organized around a political position aimed at democratically transforming gender relations (Robson, 1993:29). WIN merges the concern for gender equality with popular democratic struggles.

The paper examines the contribution of WIN to political life and good governance in Nigeria. What is the nature of WIN? What are the encounters of WIN with the state on issues of good governance? Answers to these questions will form the central thrust of the paper.

Women and Governance: Theoretical Issues

In a generic sense, governance is defined as the task of running a government. This definition is narrow as it restricts governance to only governmental structures. It ignores multi-varied governmental organization where governance occurs. Joseph (1990:202) associates governance with democracy. He argued that the most decisive way in which political accountability can be achieved is through the requirement that a government continuation in office depends on the active approval or the people as expressed in competitive elections. In this definition, one major requirement is the existence of a vibrant civil society characterized by freedom of association, freedom of expression through the media, universities and other relevant institutions. It is also pertinent to caution that elections is only one the major avenue to governance. In the absence of elections, it is imperative for state officials to explore public policy debates and public panels (commissions of inquiry etc), which would enhance the process of public accountability.

Hyden (1988:19) defines governance as conscious management of regime structures with a view to enhancing the legitimacy of the public realm. Hyden states that governance is characterized by reciprocal behaviour and legitimate relations of power between governors and governed. While governance is practiced by political elites, it is manifest in the conditions of the citizenry (Hyden, 1989:19). Governance is therefore a creative intervention by political actors to change structures that inhibit the expression of human potential.

In the context of this study, issues of good governance relate to critical factors that enhance the legitimacy of government – people’s welfare, equity, political accountability, transparency, social justice, etc. The absence of these factors in the management of regime structures will generate crisis of governance.

Women and Governance:

There are shades of opinion among feminists about the utility of the state in furthering women’s cause. Much of the feminist debates on the state always perceive the state as essentially good or bad (Waylen, 1996:16). Radical feminists such as Mackinnon (1983), and Ferguson (1984), argued that state is inherently patriarchal in that it simply reflects the society outside the state. The state is seen as an agent of enforcing control and subordination of women vis-à-vis. Feminists are advised to stay clear of any involvement with the state, as they will inevitably act to uphold patriarchy. It was further reasoned that working with the state will lead to co-optation (Waylen, 1996:17). Radical feminists have been criticized on the premise of being essentialist and biologically reductionist. They also failed to provide a non-biological explanation for their position. WIN and its philosophy can be located within the radical feminist axis.

Marxist-feminists working within the Marxist tradition seek to reveal the capitalist and patriarchal foundations of the liberal state as well as the oppression inherent in the sexual division of labour (Costa and James 1981; Eisenstein, 1978). It is also believed that the state is involved in protecting patriarchy as a system of power, much in the same way it protects capitalism and racism. Marxist-feminists believe that the state participates in the oppression of women. It is also argued that the rights of citizenship granted by the state is a sham, a convenient ideological fiction that serves to obscure the underlying reality of a dominant male ruling class. According to Marxist-feminists, the liberation of women will only be possible when the liberal state is overthrown and its capitalist and patriarchal structure is dismantled. What will emerge is an end to the sexual division of labour and a “feminist politics” that moves beyond liberalism. What most Marxist-feminists seem to mean by these politics is the egalitarian reordering of productive and reproductive labour and the achievement of a truly liberating human relations, a society’s “property less producers of use values”.

On the other hand, liberal feminists are enthusiastic about the potential of the state of further the interests of women in general (Hernes, 1987). They argue that working with the state will bring about women’s empowerment. They also believe that gender inequalities can be altered within the existing system through constitutional and legal changes in favour of women, affirmative action, equal access to available opportunities on the same terms with men. Liberal feminists have been criticized for their mainstream view of women’s work and its reliance on the law, the state, interest groups and state constituted reforms as the source of social justice, individual equality and access. Liberal feminists have also been criticized for being too individualistic and lacking a coherent analysis of women’s oppression.

(Alvarez, 1989; Charlton, et al. 1989) argues that it is naïve to project the state as essentially good or bad. Rarely, is the state homogenous. Rather, the state is a dynamic structure with a differentiated set of institutions and agencies. These agencies and institutions are considered as products of specific historical and political conjunction. It is more realistic to see the state as site of struggle, not outside the realm of societal processes permeated by them. Battles can still be fought within the state to reorder gender relations. Opportunities and situations can still present themselves for altering relations. Different regimes can provide spaces to change existing gender relations.

Under varying circumstances, the state may enjoy relative autonomy from societal processes but not totally independent from these social processes. In the process of engagement with the state, interests and identities are constructed. It is therefore crucial to examine under

the conditions and with what strategies women's movement can influence the state and policy agendas.

Women in Nigeria (WIN)

WIN was in 1982. WIN defines itself as a political interest based organization (WIN, 1923:28). It is organized around women's interest, which is consciously organized around a political position aimed at democratically transforming class and gender relations (Robson, 1993:291). It also defines women as a differential category. It defines women's liberation as integral focus in the liberation of all women and men. WIN merges the concern for gender equality with popular democratic struggles. WIN has always felt it necessary to fight both class exploitation and sex subordination together (Ogundipe, 1954:4). In the WIN document, it is stated that the founding group believed and the organization still maintains that the liberation of women cannot be fully achieved outside the context of the liberation of the oppressed and poor majority of the people of Nigeria (Ogundipe, 1985:1). It is conscious of the importance of both class and gender systems in the struggle to see women enjoy their fundamental human rights (Ogundipe 1985:3). The establishment of WIN appeared to be a reaction to the seemingly conservative women organizations such as NCWS. WIN perceived NCWS as maintaining the status quo, which they (WIN) sought to transform. WIN perceives itself as totally different from past and contemporary women organizations on account of its own radical ideology (Robson, 1995:28).

WIN has the following aims and objectives:

- (i) To promote the study of conditions of women in Nigeria, with the aim of combating discriminatory and gender biases in the family, in the workplace and in the wider society.
- (ii) To defend the rights of women under the Nigerian Constitution and United Nations Human Rights Convention.
- (iii) To provide gender sensitive alternatives to government and institutional policies.
- (iv) To fight against the harassment and sexual abuse of females in the family and elsewhere.
- (v) To promote an equitable distribution of domestic work in the family.
- (vi) To provide a forum for women to express themselves.
- (vii) To ensure for women equal access to education.
- (viii) To combat sexist stereotypes in literature, media and educational materials.
- (ix) To provide the means of educating women in relevant issues.
- (x) To form links and work with other organization and groups fighting sex and class oppression.
- (xi) To fight for social justice.
- (xii) To encourage accountability, transparency and probity among members and Nigerians in general.

WIN's membership is given by its National Membership Secretary as 3,000 (three thousand). The growth in membership of WIN has been slow because of the negative perception of WIN (Saror, 1993:7). It was said that WIN lacked mass appeal for two major reasons (Yusuf, 1989:10). First, non-graduates saw it as an essentially academic association since most of WIN's strongest members had their roots in universities. Its militant and radical approach was also seen as receptive only to university community. There is also the misconception that WIN represents western style liberation associated with permissiveness, sexual laxity, erosion of family values etc. Yusuf (1998:10) provides an example of a WIN member who, in an interview granted to the Guardian, said she never liked marriage and that is why she joined WIN.

WIN is a secular organization. It is open to women and men of different religious persuasions. It therefore differs from religious women civil societies such as the Federation of Muslim Women's Association of Nigeria (FOMWAM), the Young Women Christian Association (YWCA) etc. It is also unlike Professional or Occupational Associations, like the

Market Women's Association or the Society of Women Accountants of Nigeria (SWAN) as its membership covers all categories of women.

WIN believes that the Nigerian women are its constituency. It therefore sees its mandate as empowering women and bringing changes in women's lives. WIN is also open to men who accept its aims, objectives. It therefore believes not only in bringing about changes in women's lives but empowering some groups of men (vulnerable). The incorporation of men into its membership is a potential asset to WIN. It is capable of mobilizing men to achieve gender equality and social change.

WIN and Political Change

WIN is engaged in economic and political activities with the ultimate aim of affecting the political life of the country through women. This is done at two level. The first is at the economic level. Women are assisted economically to improve their living conditions. It is believed by WIN that economic emancipation of women would enable them participate meaningfully in governance. WIN's economic emancipation programmes are aimed at challenging oppressive and exploitative class system in Nigeria (Rural Empowerment News, 1998:1-2). It is rooted in socialist ideology of liberating women and poor men.

At the political level, WIN is also involved in activities that promote good governance. Political mobilization activities are carried out through training of women on leadership skills, democracy and good governance. In 1996 in Edo, Bauchi and Imo states where economic empowerment programmes were implemented, they were accompanied by political education. The members of working groups in those states were educated on the following.

- (i) Women and Women's Rights
- (ii) Democracy and conflict resolution
- (iii) Women and political participation
- (iv) Women and good governance
- (v) Leadership and leadership qualities
- (vi) Power and uses of power.

Specifically in Imo state positive political change was recorded in political awareness of women. For example, the Ofor Ndu Odunire Umunowo Women Multi-Purpose cooperative society in Ehime Mbano Local Government whose members benefited from WIN's economic and political empowerment programmes. They supported a woman for the post of chairmanship of the Ehime Local Government, during the Abacha's transition to civil rule programme (Rural Women Empowerment News 1998:6).

Members of WIN working with rural women are also trained annually to facilitate training for rural women leaders at the local level. In 1999 a Training of Trainers Workshop was organized on leadership and political participation for rural women. The training programme was designed to facilitate mass political education at the grassroots level. The 1999 seminar covered the following topics:

- (i) Power and Uses of Power
- (ii) Leadership and Democracy
- (iii) Women and Good Governance
- (iv) Women and Political Participation
- (v) Human Rights, Women's Rights and Strategy to actualize those rights
- (vi) Conflict Resolution and Leadership
- (vii) Cooperative and Women Empowerment beyond welfarism
- (viii) Building participation for Change
- (ix) Strategies for Rural Empowerment.

WIN also organizes rallies to advocate for political changes as witnessed in political rallies organized to request for a validation of June 12 elections.

In 1986, Babangida administration embarked on an elaborate transition programme from military to democratic rule. Babangida's transition programme was characterized with disqualification and rehabilitation of key actors, scheduling, postponement, annulment of electoral events, creation and dissolution of political parties (Young, 1997:65; Diamond, Kirk-Green and Oyediran, 1996).

The annulment of June 12 1993 presidential election provided a climate for serious human rights crisis under Babangida and later Abacha administrations (1993 – 1998). Demonstrations against the annulment of presidential elections were violently quelled, many human rights and pro-democracy activists were arrested and newspapers shut down (Human Rights Watch, 1994). Human Rights abuses reached a climax under the military administration of late General Sani Abacha. The state perpetrated all kinds of violence against the citizens. These vary from planting of explosives, killings and wanton destruction of public property (Human Dignity, 1988; Tell, 1999).

The above provides the background of WIN's intervention in democratic struggle alongside with other pro-democracy groups, particularly Campaign for Democracy to demand from the state political accountability and fairness in conduct of government business (WIN, 1993:30). Specifically, June 12 presidential election was requested by WIN for validation. Various approaches were adopted by WIN to engage the state. These include publications of its communiqués, organization of rallies and joint collaboration/actions with Campaign for Democracy (CD).

Media campaigns were organized by WIN to condemn the annulment of 1993 presidential election. On 24th June 1993 issued a public statement condemning the annulment of June 12th 1993 presidential election. As contained in the extract below WIN called on Nigerians to defend democracy (Kilanko, 1993).

... WIN had followed the events of the last few weeks before the after the June 12 presidential election with keen interest and issued a press statement dated 22nd June 1993 commending Nigerians for keeping calm under the existing strenuous circumstance that have engulfed Nigeria since the presidential election. The statement called on General Ibrahim Babangida to intervene and stop the impasse in favour of fairness and justice by releasing the results... be that as it may, General Ibrahim Babangida is advised to hand over power on or before August 27th 1993... We call on all women of this country an every citizen of Nigeria to rise up and defend democracy, justice, economic recovery and our motherland.

WIN also organized street protests to demand for the validation of June 12th 1993 presidential election. The street protests were carried out in places like Yaba, Apapa, Ajegunle, Oshodi, Mushin and Mile 2 (all in Lagos). Rallies were also organized in other South-Western areas such as Ibadan. However the greatest concentration of rallies was in Lagos. Lagos, the nerve center of Nigeria was the hottest site of the struggle for the revalidation of the elections. Glory Kilanko also had series of meetings with leaders of market men and women who cooperated with WIN to ensure the closure of markets to press for the revalidation of elections. WIN's quest for revalidation should be seen in the context of fighting for social justice and not the ethnic garb clothed the struggle or the misunderstanding it generated within a faction of WIN as a parochial struggle. Glory Kilanko though married to a Yoruba man (where the winner (M.K.O. Abiola) came from) is from Cross Rivers. John Oda, another active WIN member in the struggle (Lagos State Chapter) is from Benue State.

The vocal leadership of WIN suffered military reprisals. The Association's National Coordinating Secretary (Glory Kilanko) was subjective to military harassment. Security agents broke into her home packed her books, files and arrested her mother when she could not be found. Other activist like Y. Z. Yinusa was locked up in Kano state. Titus Mann was also locked up in Jos.

Arising from WIN's stand against the state on annulment of elections and other governance issues (self succession, persistent fuel scarcity etc.) other principal officials of WIN were also attacked (interview with Abubakar, 1999). In Bauchi State, WIN officials were also harassed. Comrade G. M. Umar was assaulted. His house was ransacked and vital documents were taken away from his house. The certificate of occupancy earlier issued by Bauchi State government to WIN on its land was revoked. WIN had earlier planned the construction of a maternity on the land. The architectural plan for the maternity was also destroyed. WIN's Annual General Meetings were also monitored by state agencies. Mary Abubakar (Deputy National Coordinating Secretary) revealed that the Annual General Meeting of WIN, which was held in Minna in 1998, was under the prying eyes of the State Security Agents. These demands were made against the background of allegations of forgery against principal elected officers and the wave of violence in several states in Nigeria.

The discovery of certificate forging and dishonesty among political office holders has been a critical issue confronting the nation in recent times. The Speaker of the House of Representatives Alhaji Salisu Buhari was discovered to possess false University degrees. The former speaker claimed to hold a B.Sc. in Business Administration from University of Toronto, Canada. In reality his claims were false (Tell, 1999:21). He also falsified his age. The former speaker claimed he was 36 years old. In actual fact he was 29 and therefore unqualified by age for membership of the House of Representatives. WIN, like many other pro-democracy groups vehemently resisted the political maneuvers to ensure the continued stay of Alhaji Salisu Buhari. WIN in its communiqué of October 2nd 1999 condemned the incidence and asked other similar "con men" or fake politicians to vacate the political terrain to allow a clean political slate in Nigeria.

Another critical issue touched by WIN is the wave of violence, which is threatening lives and property in Nigeria. Since the return of the military to barracks, many ad hoc security agencies that were established by state military administrators to combat crime were disbanded by the new civilian administration. Unfortunately, the Nigerian Police could not adequately fill the role that was vacated by the security agencies, such as Operation Sweep in Lagos State. This inadequacy of the Nigerian Police can be traced to decades of neglect by military administration. Under the military administration (which has been dominant), the Nigerian Police has been neglected in terms of funding and salary remuneration. They are therefore ill-equipped to combat crime effectively when compared to the adequate funding of ad hoc security bodies. As a result of this gap many lives have been lost to crime, robberies or assassination. WIN observed this anomaly and urged Federal/State Governments to adopt systematic strategies to curb the menace of insecurity to lives and property.

Conclusion

WIN, a group consisting of radical feminists has consistently engaged the weak and patrimonial Nigerian State on issues of good governance. It often resort to media company and organization of rallies to protest unpopular government actions such as the elaborate transition programme of Babangida administration. It equally joined other pro-democracy groupings in condemning the annulment of June 12, 1993 (presidential) election. This posture has often put WIN on collision course with successive Nigerian administration, particularly the military.

However, the inability of WIN to participate or encourage its members to take active interest in politics has put it in a disadvantaged position of being able to actualize its feminist agenda. It will be more realistic if WIN perceived the state as a site of contestation and struggle. It can therefore not afford to distance itself from state politics. Its battles for altering gender relations can not be obtained outside the state (which is permeated by the civil society). Civil society does not stand in contradistinction to the state. Civil society has the capacity of influencing the state and vice-versa. The state and the civil society are mutually capable of generating debates on issues of good governance popular participation, people's welfare and gender equity. State and civil society interactions should not be conceived as oppositional but as mutually relational.

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TOWARDS ACHIEVING THE QUALITATIVE MILLENNIUM DEVELOPMENT GOALS FOR WOMEN IN POVERTY

ADEBUKOLA FOLUKE OSUNYIKANMI

Abstract

Poverty is one the major problems plaguing human existence in the 21st century. It manifest in diverse ways in the lives of people and affects both sexes albeit, in different ways. Different studies on poverty have shown that women and their children are the worst victims of poverty. Poverty manifests amongst women in form of low income, high infant maternal mortality, hunger, high level of illiteracy, prostitution, diseases, lack of voice in decision making e.t.c. The Millennium Development Goals (MDGs) represent a set target that could reduce, if not completely eliminate the incidence of poverty. Consideration must thus be given to these goals as a source of hope to attenuate poverty in the lives of women, as the initiative promises them equal opportunity with their male counterparts. Using secondary sources of data, this paper sets out to analyse the concept of poverty and how it affects women. Since the MDGs as an affirmative target is brought into fore and adjudged desirable, our review of those aspects of the MDG that pertain to women, represents one such efforts that highlights the need for governments and policy make including sundry gender activists to remain committed to the affirmation on poverty reduction.

This study thus suggests measures that can make the attainment of the MDGs target as they relate to women and reduction possible.

Introduction

Poverty is one of the most contentious issues that academics and policy practitioners have had to contend with at the close of the last century. Its unfinished business in the new millennium remains at the centre of development planning and discourse in all countries of the world and at all levels of government.

The importance attached to understanding its meaning, manifestations, and measurements are by no means less contentious as determining its relative impact in a world bedeviled by age long gender disparity, a phenomenon which in itself has snowballed into sundry gender activisms that advocate gender parity. The important point to note is that irrespective of the sociological, economical, cultural or political definition of poverty. The scourge remains a reality, afflicting citizens of various countries of the world in the new millennium and has unsurprisingly continued to grow.

The realization of the continued growth of poverty gained the attention of the United Nations when it declared the years 1997 – 2006 as the UN decades for the Eradication of Poverty. Interestingly, the most important result of this decade long declaration consisted of imformd highlights of the problem of global poverty and an added impetus to the evolution of thinking on poverty and poverty reduction effort.

As observed in the Report of the Commission for Social Development (2006:6), there has been a progressive broadening of the definition and measurement of poverty from using income as a yardstick, to a definition that encompasses other dimensions of poverty, such as access to health services, education, concerns about risk and vulnerability, social exclusion, powerlessness and leak of voice or representation. It was in furtherance of the United Nations commitment to the issue of poverty that in year 2000, the UN Millennium declaration, came into being with a resolve and charge to all countries to do all they can to eradicate poverty, promote human dignity and equality and achieve peace, democracy and environmental

sustainability. World leaders thus promised to work together to meet concrete targets for advancing development and reducing poverty by 2015 (UNDP, 2003:1).

There are various targets of this Millennium Development Goals they include among others, - eradication of extreme poverty and hunger, achieving of universal primary education, reduction of child mortality, improvement on maternal health, combating HIV/AIDS, malaria and other diseases, Ensuring environmental sustainability, development of a global partnership for development and promoting gender equality and empower women (*Ibid*).

Giving the number of women in poverty all over the world, Nigeria inclusive, it is therefore a good omen that the agenda of the MDGs include empowering women and giving them equal opportunity with their male counterpart. It must be noted that plausible as the blue-print of action of the MDG is, execution of the Plans as they relate to women just take into account certain salient factors. This paper set out to analyse the factors that could assist women in poverty to benefit effectively from the MDGs.

This paper is divided into five parts. The foregoing introduces the subject matter in part II, we conceptualise poverty including its causes and consequences on women, part III contains the discussion of the Millennium Development Goals, while part IV dwells on how to achieve the plan set target for women and Part V concludes the paper.

II. Poverty and Women

It is important to conceptualize poverty before dwelling on its causes and effects on women. According to the Webster Dictionary (1994), poverty refers to “a state or condition characterized, among other things, by lack of material possession, existing without the luxuries and often the necessities of life; being in a position to execute compassionate regard or piety, inferior in quality and having widespread, severe, multifaceted and multi-dimensional nature of poverty, scholars have examined it from different perspective. For example, the income perspective holds that people are considered poor if they do not have sufficient income to enjoy a certain level of well-being. This depicts the monetary dimension; thus setting the baseline below which the individual concerned are deemed to live in poverty. In its consideration of poverty, the UNICEF developed what it termed basic/universal needs. The availability of food, clothing and shelter are designated as necessary to keep people out of poverty. This approach in a sense, construes poverty as deprivation in the material requirements for minimally acceptable fulfillment of human needs including food (UNICEF, 1989).

Poverty manifests in various ways. Some of the ways include lack of income, hunger and malnutrition, ill health, limited or lack of access to education, increased morbidity and mortality from illness, inadequate housing and social discrimination and exclusion. It is also characterized by lack of participation in decision making.

An analysis of each of the manifestations of poverty will show that women and their children are the most affected by the incidence of poverty. Women are prone to the problems of poverty, and are sustained and nurtured in it by a number of societal factors which make it impossible for them to get out of its vicious circle.

As Bardham (1995), rightly argued, the past two decades of research have brought into focus the problems of vulnerable groups, such as women for whom escape from poverty is particularly difficult. Bruce, *et al* (1988) observed that women and children suffer the harshest deprivation. Moshen (1991) also noted that women and children are most likely to be poor and malnourished in Third World countries because they face special social and economic constraints in acquiring and human capital. He noted that in Africa, and in Southern Asia, more than 70 percent of women of 25 years of age are illiterates in Africa and Southern Asia. Bradham (1995) concluded that the perpetuation of the cycle of low education and low paid jobs for women is compounded by a number of cultural and legal barriers to entering the labour market in the Third World. From this understanding, it is important at this juncture to analyse some of the factors that cause poverty for women.

First is the shranked access to education – Most girl child lack access to education due to its cost and the poor financial disposition of their parents. In most cases their parents can not afford the tuition and other sundry fees being charged at school. Thus, the traditional preference for the male child comes to play. Male-children are sent to school, while girls are left at home to support the family income through hawking and petty trading..

Socio-Religious and Cultural factors also play significant role in the level of poverty amongst women. This is rampant in the Northern geo-political zones of Nigeria and other countries where Islam is being practiced as a religion. The Islamic religion and cultural practices of the purposes of the people permit early marriage of girl-child. In this case, the girls are prone to poverty because they are unskilled and not educated. They do not fit into the formal sector and they hardly have breakthrough in the informal sector due to lack of capital.

There is also the factor of voicelessness in the decision making. Women do not participate in decision making. Since they do not participate in the decisions that affect their lives, they become vulnerable to poverty as less consideration is given to women in socio-economic and political facets of life.

Disinheritance also contributes to poverty amongst women. Widows in Africa, Nigeria inclusive are usually prevented from inheriting the assets of their husband. They are not allowed to inherit both movable and immovable assets at the death of their husbands. African culture also tilts toward patriarchy, thus, daughters are not given the opportunity to inherit their fathers assets.

The lack of access to credit facilities amongst women no doubt exercebarte their poverty level. Most women are in the informal sector of the economy, which is often characterized by low levels of capital, skills, access to organized markets and technology and absence of formal registration. The major problem encountered by those women in this sector is lack of or restricted access to credit facility from banks and other credit granting institutions. This is due to the fact that they do no possess the necessary collateral to be albe to access loans from these institutions. Thus, they do not only find it difficult to sustained and expand their businesses but often times barely live from hand to mouth.

Having reviewed some of the causes of poverty amongst women, it is important to highlight the consequences.

One of the major problems that women are battling with as a result of poverty is HIV/AIDS. Povety and inequality facilitate the transmission of HIV (Parker abd Wilson, 2000:92) Women in poverty take to prostitution to make ends meet. Equally, they find it difficult to negotiate safer sex with the use of condom because he, who plays the piper, dictates the tune. Poverty situation always compel them to exchange unprotected sex for their basic needs. Thus, the increase rate of HIV/AIDS amongst women.

Child labou is also on the increase in Nigeria and most African countries because of poverty. Most poor women send out their children to fend for the families through hawking, petty trading, and so to also as domestic servants.

Low standard of living is another problem that women encounter as a result of poverty. This manifests in the inability to afford the basic needs of life such as good food, good health care services, education for their children and other basic amenities that make life worth living.

The loss of self esteem no doubt, is a consequence of poverty amongst women. This factor has amongst others predisposed a number of women to accept some debasing roles especially in the film and advertising industry where they are exhibited purely as a sex commodity. Of course, this is not without some negative impact on the society as such indencent exposures more often than not perverts individual's sexual orientation. The rise in the incidence of rape is backed by this factor amongst others.

III. The Millennium Development Goals: A Brief Analysis

The member governments of the United Nations have always being setting global goals. Put differently, the UN members always set target on what they want to achieve within a particular decade. In the 1950's and 60's the target was to end colonialism, while the major concern in the 1960's, 1970's and 1980's were how to increase employment, industrialization and also provide

international assistance to countries that needed it. The targets of the 1990s were schooling, health, water and sanitation.

Arising from these experiences, in year 2000, the UN member states saw the need to assist impoverished nations more aggressively and to save the world from poverty. Thus, 189 United Nations member states and 23 international organizations agreed to achieve certain goals by the year 2015 (www.en.wikipedia.org/wiki/Millennium-Development-Goals).

The Millennium Development Goals (MDGs) were developed out of the eight chapters of the United Nations Millennium Declaration, signed in September 2000 (*Ibid*) Eight major goals incorporating major targets and when to achieve the goals were adopted. The major goals and target are reproduced here under:-

- 1. Eradicate Extreme Poverty and Hunger**
 - Halve between 1990 and 2015, the promotion of people whose income is less than one dolla a day.
 - Achieve full and productive employment and decent work for all, including women and young people.
 - Halv, between 1990 and 2015, the proportion of people who suffer from hunger.
- 2. Achieve Universal Primary Education**
 - Ensure that, by 2015, children everywhere, boys and girls laike, will be able to complete a full course of primary schooling.
- 3. Promote Gender Equity ad empower Women**
 - Eliminate gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015.
- 3. Reduce Child Mortality**
 - Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate.
- 5. Improve Maternal Health**
 - Reduce by three quarters, between 1990 and 2015, the maternal mortality ratio.
 - Achieve, by 2015 universal access to reproductive health.
- 6. Combat HIV/AIDS, Malaria, and other Diseases**
 - Have halted by 2015 and begun to reverse the spread of HIV/AIDS.
 - Achieve, by 2010, universal access to treatment for HIV/AIDS for all those who need it.
 - Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases.
- 7. Ensure Environmental Sustainability**
 - Integrate the principles of sustainable development into country policies and programmes; reverse loss of environmental resources.
 - Reduce biodiversity loss, achieving, by 2010, a significant reduction in the rate of loss.
 - Halve, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation.
 - By 2020, to have achieved a significant improvement in the lives of at least 100 million slum-dwellers.
- 8. Develop a Global Partnership for Development**
 - Develop further an open trading and financial system that is rule based and predictable.

It is important to note that most of these goals have year 2015 or earlier as the set date when they must have been achieved. For example, the 3rd goals, which is to promote gender disparity in primary and secondary education preferably by 2005 and at all levels by 2015?

Although, most countries always pledge their commitments to the realization of these goals but progress towards attaining the goals has been unequal. Most African countries are grappling behind and thus the goals may not be achieved by 2015 in some of these countries, Nigeria inclusive. For example in Nigeria, even in year 2001, the adult literacy rate is just 65.4% (UNDP, 2003), while 70% of the population still live in poverty (NAPEP, 2001:1, World Bank, 2006: 71).

IV. Strategies to Achieve Qualitative Millennium Goals for Women in Poverty

Education is the bedrock of development in every society and the major tool to access opportunities in a globalised world. Thus, for women to be able to come out of poverty and enjoy equal opportunities as their malefolks, in accordance with the millennium development goals, education must be made compulsory and free at primary and secondary levels without any attraction of sundry fees and it must be subsidized at the tertiary level most especially for girls.

The Ministry of Women Affairs at the federal and state levels must strive to educate women on the importance of the goals as it pertains to them, their rights and how these are to be achieved. This will ensure that all stakeholders work towards the achievement of the goals.

There is the need to reform of electoral processes in Africa, including Nigeria. There must be strict laws and appropriate jail terms against electoral malpractices and violence during and after elections. Conducive atmosphere, without threat to lives will enable women participate fully in politics hence they will be able to influence policies by voting for whoever will reflect their wishes in government.

Moreover, the constitution must be re-drafted in such a way that it will accommodate the interest of women as active participant in politics and not mere voters. This is essential to ensure that there is gender parity in accordance with the Millennium Development Goals. As it stands now, the constitution of the Federal Republic of Nigeria is not gender neutral; neglecting as it were gender parity. For example, section 131 of the 1999 constitution is a classic exhibition of its gender bias where the pronoun “He” is lavishly reproduced in describing the qualifications for the office of the president. Let us reproduce it hereunder for emphasis:

- a. he is a citizen of Nigeria by birth;
 - b. he has attained the age of forty years
 - c. he is a member of a political party and he is sponsored by that political party;
- and
- d. he has been educated up to at least school certificate level or its equivalent.

The above description for qualification to the office of the president intuitively forecloses the possibility of any woman vying for the office of the president in Nigeria. Other a combination of expression as “He/She” should have been used or at best, the word ‘such a person’ would have been gender neutral. This aspect of the constitution cannot be taken for granted. It is simply not an oversight. It is a reflection of the cultural orientation of the author of the constitution who is by any means of description male chauvinists. It is a deliberate plan by the government and the society to ensure that women can only vote if they choose to but are not encouraged to vie for such office of the president. Section, 132 (5) clearly supports this assertion. It is clearly written that “every person”, who is registered to vote at an election of a member of legislative house is qualified to vote in the election of the president. The word “every” shows that women are included in this category of voters. The question therefore is why is it that the word ‘every’ was not used to describe those who are qualified to vie for the office of the president? The simple answer is women are not expected to contest for this exalted position. Thus, for the reversal of the age long discrimination against women to ensure equality between men and women, the constitution must be reworked to embrace women. At least, the word “everybody” “He/She” ‘such person’ etc that are gender neutral must be used to describe those who are qualified to vie for the positions of authority in the country.

Women dominate the informal sector of the economy and this sector accounts for the majority of the poor. Government must therefore give priority attention to alleviate poverty in this sector through poverty alleviation programmes that are targeted at women in this sector.

Basic amenities, like health care services, water, and sanitation must be provided not only for urban dwellers but also for rural dwellers to attenuate the sufferings of women and improve maternal mortality.

African countries have been experiencing set backs due to high rate of corruption. People in positions of authority always betray the trust bestowed on them and they work not for the interest of the people they are representing but embezzle fund meant for development projects. For the goals to be achieved and poverty to be attenuated in the lives of women and even the whole populace, the Chinese law of executing those who embezzle public fund must be adopted in Africa, Nigeria inclusive. Through this, the goals will be achieved as fund meant for development will be used solely for the purpose.

Conclusion

From the foregoing, it is clear that women are having problem coming out of poverty with their sole effects. It is therefore important for government and all stakeholders to take the Millennium Development Goals as important project that must be achieved at all cost to ensure that women begin to enjoy their rights and live worthy lives. This will improve the standard of living in African continent and also ensure peace and stability.

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CORPORATE GOVERNANCE IN THE NIGERIAN BANKING INDUSTRY

A.A. AKINBUWA AND M.O. ERHUN

Introduction

In recent time, the issue of corporate governance has taken the centre stage in the financial industry across the world. The campaign for good corporate governance has become necessary following the rate of failures of companies and organizations in the past.

The issue of poor corporate governance has been a problem in the Nations' banking industry overtime. This has necessitated the enactment of Corporate Governance Code 2006 by the Central Bank of Nigeria. Effective corporate governance is essential to maintaining public trust and confidence in the Nigerian banking sector. It also provides a crucial anchor for sound risk management practices.

This paper aims to appraise corporate governance in the Nigerian industry, identify some of the problems and proffer appropriate solutions.

What is Corporate Governance?

Companies have been around for hundreds of years, but corporate governance, in the term in which we know it today; has emerged only in the last 20th century¹

Corporate Governance is the set of processes, customs, policies, laws and institutions affecting the way a corporation is directed, administered or controlled². Corporate governance also includes the relationships among the many players involved (the stakeholders) and goals for which the corporation is governed³. The principal players are the shareholders, management and the board of directors. Other shareholders include employees, suppliers, customers, banks and other lenders, the environment and community at large⁴.

Corporate governance also provides the structure through which the objectives of the company are set and the means of attaining those objectives and monitoring performance are determined⁵. Good corporate governance should provide proper incentives for the board and management to pursue objectives that are in the interest of the company and share-holders and to facilitate effective monitoring, thereby encouraging firms to use resources more efficiently.⁶ Principles of good corporate governance focus on ameliorating problems arising from the separation of control from ownership (in the case of a company, the shareholders have ownership and the board have effective day-to-day control.) Such principles are intended to inform managerial behavior in order to encourage decision making that protects the interest of a business's stakeholders (its shareholders and investors)⁷. The degree to which a business observes principles of good corporate governance is therefore an increasing important factor for investment decisions and impacts upon the extent to which a business is perceived by the

¹ John Sunder land, "Corporate Governance: Yesterday, Today and Tomorrow", *Nigerian Tribune*, Tuesday 22nd March 2005, p. 27.

²http://en.wikipedia.org/wiki/corporate_governance

³ *id*

⁴ *id*

⁵ Sinclair M., Customer Service Centre Outsourcings; Managing Risk for Good Corporate Governance, *Business Law Review*, August/September 2002, p. 194.

⁶ Ad-Hoc Task Force on Corporate Governance (OECD), *OECD Principles of Corporate Governance* (SGCG (99) 5) 1999 P. 2

⁷ Sinclair M. *op.cit.* p. 194

investment market (i.e potential stakeholders) has been prudently managed for investment purposes⁸.

The corporate governance structure specifies the distribution of rights and responsibilities among different participation in the corporation such as the board, manager, shareholders and other stakeholders and spells out the rules and procedure for making decisions on corporate affairs. By doing this it also provides the structure through which the company objectives are set and means of attaining those objectives and monitoring performance⁹

Corporate governance in the context of this paper would therefore be defined as the way in which banks are governed and also practices and procedures for trying to ensure that a bank is run in such a way that it achieves its objectives.

Relevance of Corporate Governance in the Nigerian Banking Industry

The governor of the Central Bank of Nigeria (CBN), Chukwuma Soludo, on March 2006, released a code of Corporate Governance for banks.

The step taken by the CBN became necessary because prior to banking consolidation, the nation's financial system was fragile and dominated by weak and poor corporate governance¹⁰. A sizeable number of banks had ownership structure that could be described as family business. This did not only reinforce the insider credit abuse among banks, but also led to the distress in the banking industry. According to the CBN, "the 89 banks with 3,382 branches located mainly in the urban centers as at June 2004 were characterized by structural and operational weaknesses such as low capital base, dominance of few banks, insolvency and illiquidity, over-dependence on public sector deposits, poor assets quality, weak corporate governance and foreign exchange trading."¹¹ In 2003 the CBN said that only 40 per cent of the quoted companies in Nigeria, including banks, recognised the existence of codes of corporate governance.

The issues itemized above have now necessitated the need for the practice of good corporate governance in the Nigerian Banking Industry, which is a system by which corporations are governed and controlled with a view to increasing shareholder value and meeting the expectations of the other stakeholders.

For the financial industry, the retention of public confidence through the enthronement of good corporate governance remains of utmost importance given the role of the industry in the mobilization of funds, the allocation of credit to the needy sectors of the economy, the payment and settlement system and the implementation of monetary policy¹².

In Nigeria, a survey, by the Securities and Exchange Commission (SEC) showed that corporate governance was at a rudimentary stage, as only about 40% of quoted companies, including banks, had recognized codes of corporate governance in place. Specifically for the financial sector, poor corporate governance was identified as one of the major factors in virtually all known instances of a financial institution's distress in the country¹³.

Yet, the on-going industry consolidation is likely to pose additional corporate governance challenges arising from integration of processes, Information Technology and culture. Research had shown that two-thirds of mergers, world-wide, fail due to inability to integrate personnel and systems as well as due to irreconcilable differences in corporate culture and management, resulting in Board and Management squabbles¹⁴.

⁸ *Id* at p. 195

⁹ The OECD (Organization of Economic and Development) *Principles of Corporate Governance* (April, 1999)

¹⁰ <http://allafrica.com/stories/200710291143.htm>

¹¹ *Id*

¹² Section 1.2 Central Bank Of Nigeria Code Of Conduct For Banks In Nigeria Post Consolidation, April 6, 2006 referred to in this paper subsequently as the code.

¹³ S.1.3 *Id*.

¹⁴ S.1.4 Central Bank Of Nigeria. *Code Of Conduct For Banks In Nigeria Post Consolidation*, April 6, 2006

In addition, the emergence of mega banks in the post consolidation era is bound to task the skills and competencies of Boards and Managements in improving shareholder values and balance same against other stakeholder interests in a competitive environment. A well-defined code of corporate will therefore solve most of these problems.

Institutional and Legal Framework for Corporate Governance in Nigerian Banking Industry.

In Nigeria, the Company and Allied Matters Act chapter C20, Laws of Federation of Nigeria, 2004 and the Investment and Securities Act Chapter I24 laws of Federal of Nigeria, 2004, provide a general legal framework of corporate governance and address many of the corporate governance policies. Of course these are not exhaustive. Specific legislation also exists which provide additional corporate, governance imperatives for corporations in specific industries¹⁵.

Central bank of Nigeria, Code of Conduct for Banks in Nigeria Post Consolidation of April 2006, is the major institutional framework for corporate governance in the Nigerian banking industry. The code of corporate governance according to the CBN was meant to enable it enforce the corporate governance principles to obviate the insider credit abuse found among the banks. Some sections of the code that are relevant to this study will now be examined.

The current practice of free, non-restrictive equity holding has led to serious abuses by individuals and their family members as well as governments in the management of banks. However, to encourage a private sector-led economy, holdings by individuals and corporate bodies in banks should be more than that of governments. It is also recognized that individuals who form part of management of banks in which they also have equity ownership have a compelling business interest to run them well.

The Code stipulates that Government direct and indirect equity holding in any bank shall be limited to 10% by end of 2007¹⁶. An equity holding of above 10% by any investor is also subject to CBN's prior approval¹⁷.

According to the code, the responsibilities of the head of the Board, that is the Chairman, should be clearly separated from that of the head of Management, i.e. MD/CEO, such that no one individual/related party has unfettered powers of decision making by occupying the two positions at the same time¹⁸.

The Code further provides that no one person should combine the post of Chairman/Chief Executive Officer of any bank and for the avoidance of doubt, also no executive vice-chairman is recognized in the structure¹⁹.

Also no two members of the same extended family should occupy the position of Chairman and that of Chief Executive Officer or Executive Director of a bank at the same time²⁰.

On the quality of board membership it is provided that institutions should be headed by an effective Board composed of qualified individuals that are conversant with its oversight functions²¹.

It is also stated that existing CBN guidelines on appointment to the board of financial institutions should continue to be observed and that only people of proven integrity and who are knowledgeable in business and financial matters should be on the Board²².

The code says that regular training and education of board members on issues pertaining to their oversight functions should be institutionalized and budgeted for, annually by banks. The

¹⁵ See for example, Banks and other Financial Institutions Act, chapter B3 Laws of Federation of Nigeria 2004

¹⁶ S. 5.1.2 Central Bank Of Nigeria Code Of Conduct For Banks In Nigeria Post Consolidation, April 6, 2006

¹⁷ S .5.1.3 *Id*

¹⁸ S. 5.2.1 *Id*.

¹⁹ S.5.2.2.*Id* of the code

²⁰ S.5.2.3 *Id*

²¹ S.5.3.1. *Id*

²² S.5.3.2 *Id*.

Board should have the latitude to hire independent consultants to advise it on certain issues and the cost borne by the banks²³.

The code recommends that the number of non-executive directors should be more than that of executive directors subject to a maximum board size of 20 directors. Also at least two non-executive board members should be Independent directors (who do not represent any particular shareholder interest and hold no special business interest with the bank) appointed by the bank on merit²⁴. A committee of non-executive directors should determine the remuneration of executive directors²⁵.

There should also be strict adherence to the existing Code of Conduct for bank directors, failing which the regulatory authorities would impose appropriate sanctions including removal of the erring director from the board²⁶. Non-executive directors' remuneration should be limited to sitting allowances, directors' fees and reimbursable travel and hotel expenses²⁷.

The Code provides that In order to ensure both continuity and injection of fresh ideas, non-executive directors should not remain on the board of a bank continuously for more than 3 terms of 4 years each, i.e. 12 years²⁸. It further provides that banks should have clear succession plans for their top executives²⁹. There should be, as a minimum, the following board committees – Risk Management Committee, Audit Committee, and the Credit Committee³⁰.

The code stipulates that practice of the Board Chairman serving Simultaneously as chairman/member of any of the board committees is against the concept of independence and sound corporate governance practice, and should be discontinued³¹.

The Code recommends board performance appraisal by saying each Board should identify and adopt, in the light of the company's future strategy, its critical success factors or key strategic objectives³². It further provides that boards should determine the skills, knowledge and experience that members require to achieve those objectives³³. A Board should work effectively as a team towards those strategic objectives³⁴.

There should be annual Board and Directors' review/appraisal covering all aspects of the Board's structure and composition, responsibilities, processes and relationships, as well as individual members' competencies and respective roles in the Board's performance³⁵. The review should be carried out by an outside consultant³⁶. The review report is to be presented at the AGM and a copy sent to the CBN³⁷.

On the issue of Quality of Management the code provides that appointments to top management positions should be based on merit rather than some other considerations³⁸. Existing guidelines on appointments to top management of banks should continue to be observed³⁹. Track record of appointees should also be an additional eligibility requirement⁴⁰. Such records should cover both integrity ('fit and proper' as revealed by the CBN 'blackbook', CRMS etc) and past performance (visible achievements in previous place(s) of work)⁴¹.

²³ S.5.3.4 *Id.*

²⁴ S.5.3.6. of the Code

²⁵ S.5.3.7 *Id.*

²⁶ S.5.3.8 *Id.*

²⁷ S.5.3.9 *Id.*

²⁸ S.5.3.10 *Id.*

²⁹ S.5.3.11 *Id.*

³⁰ S.5.3.12 *Id.*

³¹ S.5.3.13 *Id.*

³² S.5.4.2 *Id.*

³³ S.5.4.3. *Id.*

³⁴ S.5.4.4 *Id.*

³⁵ S.5.4.5 *Id.*

³⁶ S.5.4.6 *Id.*

³⁷ S.5.4.7 *Id.*

³⁸ S.5.5.1 *Id.*

³⁹ S.5.5.2 of the Code

⁴⁰ S.5.5.3 *Id.*

⁴¹ S.5.6.1 *Id.*

On reporting relationship, the code says officers should be held accountable for duties and responsibilities attached to their respective offices. The structure of any bank should reflect clearly defined and acceptable lines of responsibility and hierarchy⁴².

On Industry Transparency, Due Process, Data Integrity and Disclosure Requirements the code has these to say:

where board of directors and companies/entities/persons related to them are engaged as service providers or suppliers to the bank, full disclosure of such interests should be made to the CBN⁴³. Chief Executive Officers and Chief Finance Officers of banks should continue to certify in each statutory return submitted to the CBN that they (the signing officers) have reviewed the reports, and that based on their knowledge:

The report does not contain any untrue statement of a material fact.

The financial statements and other financial information in the report, fairly represent, in all material respects the financial condition and results of operations of the bank as of, and for the periods presented in the report⁴⁴.

The code provides that false rendition to CBN shall attract very stiff sanction of fine plus suspension of the CEO for six months in the first instance and removal and blacklisting in the second. In addition, the erring staff would be referred to the relevant professional body for disciplinary action⁴⁵.

There should also be due process in all the procedures of banks⁴⁶.

All insider credit applications pertaining to directors and top management staff (i.e. AGM and above) and parties related to them, irrespective of size, should be sent for consideration/approval to the Board Credit Committee.

The Board Credit Committee should also have neither the Chairman of the Board nor the MD as its chairman⁴⁷. Any director whose facility or that of his/her related interests remains non-performing for more than one year should cease to be on the board of the bank and could be blacklisted from sitting on the board of any other bank.⁴⁸

The Code further provides that the Board Credit Committee should be composed of members knowledgeable in credit analysis⁴⁹. And that banks' Chief Compliance Officers (CCO) should, in addition to monitoring compliance with money laundering requirements, monitor the implementation of the corporate governance code⁵⁰. Banks are also to establish 'whistle blowing' procedures that encourage (including by assurance of confidentiality) all stakeholders (staff, customers, suppliers, applicants etc) to report any unethical activity/breach of the corporate governance code using, among others, a special email or hotline to both the bank and the CBN⁵¹.

Problems of Corporate Governance for Bank's Post Consolidation in Nigeria

- * Technical Incompetence of Board and Management: In view of the greatly enhanced resources of the consolidated entities, Board members may lack the requisite skills and competencies to effectively redefine, re-strategize, restructure, expand and/or refocus the enlarged entities in the areas of change of corporate identities, new business acquisitions, branch consolidation, expansion and product development
- * Relationships among Directors: Boardroom squabbles could be an issue due to different business cultures and high ownership concentration especially in banks that were formerly family or "one-man" entities. The dominance of a "key man" could also emerge with the attendant problems.

⁴² S.5.6.2 *Id*

⁴³ S.6.1.2 *Id*

⁴⁴ S.6.1.3 of the Code.

⁴⁵ S.6.1.4 *Id*

⁴⁶ S.6.1.5 *Id*

⁴⁷ S.6.1.7 *Id*

⁴⁸ S.6.1.8 of the Code

⁴⁹ S.6.1.9 *Id*

⁵⁰ S.6.1.11 *Id*

⁵¹ S.6.1.12 *Id*

- * Relationship between Management and Staff: Squabbles arising from knowledge gaps, harmonization of roles and salary structure could also manifest among staff and management of consolidating banks with the potential to create unhealthy competition and a counter-productive working environment.
- * Increased Levels of Risks: Currently, very few banks have a robust risk management system in place. With the huge amount of funds that will be available to them and the significantly increased legal lending limits, banks will be financing more long-term mega projects in the real sectors of the economy as opposed to the existing working capital/trade financing. Given the expected significant increase in the level of operations, the banks will be facing various kinds of risks which, if not well managed, will result in significant losses. The management of risks in a transparent and ethical way will thus present some issues bordering on corporate governance.
- * Ineffective Integration of Entities: Banks that would have completed the process of merging might continue to operate independently rather than as a single entity. For example, an investment bank's merger with a retail bank in which the MD of the investment bank continues to manage his arm of the business and the MD of the retail bank does the same and the operating results of the two entities are then consolidated for reporting purposes.
- * Poor Integration and Development of Information Technology Systems, Accounting Systems and Records: Banks with different IT systems (banking application, database platform, operating systems, human resource applications, hardware, server configuration, and network and telecommunication infrastructure) as well as different accounting systems and records will have to fuse and this could pose problems if not well managed. There will also be increased use of technology to power the consolidated business and this too will have to be well managed to ensure efficient operations and quality service delivery.
- * Inadequate Management Capacity: Directors and Managers will be running a much larger organization and controlling a significantly higher level of resources. Adequate management capacity is needed to efficiently and profitably run a larger organization.
- * Resurgence of High Level Malpractices: To boost income as a result of intense competition and lack of enough viable projects, malpractices may resurface post consolidation. Sharp practices could include round-tripping of forex, excessive customer charges, falsification of records etc., and adoption of unethical methods to poach customers.
- * Insider-Related Lending: If consolidation should fail to achieve transparency through diversification in bank ownership, the pervasive influence of family and related party affiliations may continue, resulting in huge levels of insider abuses and connected lendings.
- * Rendition of False Returns: Similarly, rendition of false returns to the regulatory authorities and concealment of information from Examiners to prevent timely detection of unhealthy situations in the banks may continue as a result of lack of transparency and pressure to boost income.
- * Continued Concealment: Continued concealment of material issues discovered by banks during their pre-merger due diligence will also compromise good corporate governance.
- * Ineffective Board/Statutory Audit Committee: The audit committee, which comprises both directors and shareholders who are not board directors, may be composed of people who are not knowledgeable in accounting and financial matters thus rendering the committee less effective.
- * Inadequate Operational and Financial Controls: There might be absence of such controls to cater for the increased size and complexity of operations.
- * Absence of a Robust Risk Management System: The huge amount of funds that would be available to banks post consolidation would significantly increase their legal lending limits and make them engage in financing long term mega projects. The management of the attendant risks in a transparent and ethical manner would require, as part of sound practices, the institutionalization of a robust risk management system.
- * Disposal of Surplus Assets: After consolidation, some branches of banks that are closely located may be sold to insiders at below market price. Other surplus assets may also be

similarly sold. Fixed assets may also be sold indiscriminately and the profit from the sale used to boost profits with the intention of covering operational losses and inefficiencies.

- * Transparency and Adequate Disclosure of Information: These are key attributes of good corporate governance which the merged banks must cultivate with new zeal in order to provide stakeholders with the necessary information to judge whether their interests are being taken care of. Currently there are many deficiencies in the information disclosed, particularly in the area of risk management strategies, risk concentration, performance measures etc. These shortcomings will need to be addressed.

Solutions to Some of the Identified Problems

- 1 The introduction of independent bank directors by the CBN is yet to get widespread acceptance in the banking industry, because most of the banks are yet to comply with the introduction of term limits on the tenure of board members as provided by the code. Most of the banks that fall under this category are those that have powerful owner managers and dominant shareholders/shareholders group. Since the code already stipulates this law which is being violated, one therefore reposes confidence in the judiciary for the enforcement of the law. It is therefore suggested that for Nigeria to reap the benefits of effective corporate governance in its banking industry, there is need to strengthen the enforcement mechanism of the regulatory institutions. The role of the courts in this regard cannot be over-emphasized. It is important to restore the confidence of the average shareholder in the capacity of the judicial system to help him enforce his rights. The rule of law is the bastion of democracy.
- 2 It has also been observed that the Code doesn't have adequate provisions for sanctions and this may be why the compliance of the banks with the provisions of the code is below expectation. It is hereby suggested that more stringent penalties be meted out to violators of the provisions of the code. Provision for civil actions and criminal prosecution against erring banks for violation of statutory standards will go a long way in ensuring effective corporate governance in Nigerian banking industry.

Conclusion

With the introduction of the new CBN Corporate Governance Code in Nigeria, the way and manner in which the business and affairs of banks are directed and managed by those charged with the responsibility to improve long term shareholders value by enhancing performance and accountability and taking into account the interest of other stakeholders should improve tremendously.

Also the issue of rendering good services and accountability to retain public confidence should be of utmost importance to the banking industry to enhance better mobilization and development of the economy in general.

Effective implementation of the CBN's Code on Corporate Governance should therefore permanently lay to rest the prevalent scandals and failures in the banking sector of Nigeria.

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ALLEVIATING POVERTY THROUGH LOCAL GOVERNMENT ENTREPRENEURIAL VENTURES IN NIGERIA

S. R. AKINOLA

Introduction

The world economic crisis that started about three decades ago remains an intriguing phenomenon due to its intensity and length. In the 1970s, advanced societies experienced inflation, rising unemployment and instability of exchange rates (Demaziere, *et. al.*, 1996). Despite all efforts and policy changes to resolve the crisis at the national or international level, the problem has remained unyielding. Regions, localities, agents and individuals are looking for and acting to create an alternative economic growth. Within the three decades, Local Economic Development (LED) strategies were employed in both Europe and America to combat poverty among their citizens.

Since the Local Government (LG) Reform of 1976, the number of Local Governments (LGs) has increased astronomically from 301 in 1979 to 499 in 1989, to 589 in 1991 and to 774 in 1997. Along with the increase in the number of LGs is the increase in the percentage share of LGs from the federation account. The statutory allocation due to LGs, was increased from 10% to 15% in January 1990 and to 20% in 1992. However, LGs in Nigeria are outward looking, relying on, and receiving external grants but with little to show on welfare of the citizenry.

In Nigeria, the persistence and pervasiveness of poverty in rural and/or local communities remains one of the most pressing social issues confronting rural governance in the country today. Incidentally, the rural areas fall within the jurisdiction of the Local Government Council (LGC) in the country. Rural poverty is multifaceted and the indicators include inadequate or lack of socio-economic opportunities and facilities (Mabogunje, 1977; Raza 1983; Stewart 1985; Olayiwola 1990), environmental degradation, unemployment, and malnutrition (Akinola 1992). These factors have caused and still perpetuate poverty at the grassroots level.

All the federally motivated Agencies and Directorates that have operated and still operate in recent times in rural areas have failed to stimulate development at the grassroots. Also, there are, however, great fear and reservations on the 'ability' of the LGs to bring about any meaningful development at the grassroots. These reservations are derived from two major factors: (i) over-dependence of LG on Central government for grants, which are essentially proceeds from oil, and (ii) mismanagement of public funds and lack of accountability of LG officials on the public fund. Unless LGs are re-oriented, the goal of grassroots development will be a mirage.

The paper is concerned with how Nigerian Local Governments can embark on entrepreneurial ventures such that they can utilize locally available resources for production of goods and services generate employment opportunities for youths and consequently reduce the level of grassroots poverty.

The paper is divided into five parts. The first section is the introduction while the second part contains discussion on poverty at grassroots level in Nigeria. Some lessons from other countries are examined in section three, while the proposals on how to alleviate poverty through Local Government entrepreneurial ventures is presented in section four. The conclusion is drawn in section five.

Poverty at the Grassroots Level in Nigeria

The Concept of Poverty: Poverty has no universally accepted definition. Various scholars have viewed it from different perspectives. Houlst (1969:245) defines poverty as (1) "a scarcity of the means of subsistence" and (2) "a level of living that is below a particular minimum standard".

The Theodorsons (1969:307) define it as “a standard of living that lasts long enough to undermine the health, morale and self-respect of an individual or group individuals. The term is relative to the general standard of living in society, the distribution of wealth, status system and social expectations”. Akeredolu-Ale (1976), observed that the poor in any society can be clearly identified based on their economic, cultural, and social conditions. In the same perspective, Theodorsons (1969), Aboyade (1976), Townsend (1962), and Rein (1970), view poverty and deprivation in relative terms. In order to identify poverty, they argued that it is necessary to understand the level of living of the rich since it is their living condition that is critical for the conception of inequality.

Sen (1983), however, raised the point that the relativist approach seems to confuse inequality with poverty. Starvation and hunger are indications of poverty, no matter how the relative picture presents the situation. Absolute poverty according to Sen (1985), is lack of some basic opportunities of material well-being and failure to have minimum capabilities. Sen agreed that the criteria of minimum capacity may vary from one society to the other and from time to time, but these criteria are absolute, and not simply in comparison with others in that society (Sen, 1985:670).

Deprivation refers to bad governance. This is a situation in which rulers fail to provide necessary opportunities – facilities and jobs capable of eliminating poverty. But as indicated above, poverty can be caused by individual’s laziness or mismanagement of resources. In rural Nigeria, deprivation is most prevalent. Etim and Erotimi (1976) observed that income distribution revealed a wide gap between the relatively small rich population and the poor majority. According to him, the richest, which constitute only 5% of the population control 40.6% of the nation’s wealth, while the poorest, who constitute 60% of the entire population have access to only 27% of the nation’s wealth. In Nigeria, majority of the population fall below the acceptable standard of living due to deprivation.

Certain attributes of poverty have been identified in the literature. These are: low income, high cost of living, poor living conditions, poor health, low level of literacy, limited access of infrastructures, injustices and exploitation, low capacity for saving and constant struggle for survival (Olowu and Akinola, 1995).

Rural Poverty in Nigeria: Rural area in some respects means grassroots level but grassroots level does not mean rural area. Since majority of Nigerians live in rural areas, it then follows that the majority of Nigeria’s LGs are rural Local Governments. The Nigerian population census of 1963 shows that 80.7% of Nigerians live in rural settlements, having 5,000 or less inhabitants (Olatunbosun, 1975). An estimate for Nigeria’s rural population in 1985 was 70% of an estimated total national population of approximately 100 million (World Bank, 1987:202, 266). But the ruralities are less vocal, and they are more or less neglected. The rural area is characterized by a culture of poverty as most people still live barely above subsistence level.

Several studies in Nigeria show a high degree of inequality in income distribution between rural and urban areas (Modupe, 1986:2; World Bank, 1987:8). The same is true of socio-economic opportunities and facilities (Mabogunje, 1977; Raza 1983; Stewart, 1985). The rural areas are less favoured. According to the World Bank (1997), the average per capital expenditure of a poor rural household in Nigeria was one-fifth of the non-poor in 1992. Of the extremely poor, 85 percent lived in rural areas and more than two-thirds lived on farms.

The rural areas are generally deprived of the basic needs of life such as food, clothing, housing, medical care, postal communication, education, transport facilities, recreation, neighbourhood amenities, credit facilities and horizon for self improvement. Although, poverty and squalor abound in all our urban centres, rural poverty stands out in comparison with apparent urban affluence. Atte (1986) observed that poverty is more personalized at grassroots level in Nigerian’s villages.

Poverty at the community level is manifested in (i) community inaccessibility (lack of roads to link, and bad roads that link communities) (African Farmer 1989; Fadare 1990), (ii) inadequate or lack of social facilities (schools, good drinkable water and health centres), (iii) inadequate or lack of economic facilities (market and agricultural input centres), (iv) inadequate

or lack of communication and security facilities (postal agency and policy post respectively). Poverty at the household level are manifested in irregular and seasonal income, malnutrition and underemployment (Modupe, 1986:2; Atte 1986; Akinola, 1997).

According to Stewart (1985), only 2% of the rural population in Nigeria enjoy pipe borne water, while about 20% have access to “improved” sources of water, including boreholes. The rest of the rural population rely on traditional sources of water (Stewart, 1985:126) such as local wells. Hand-dug wells which are not capped constitute health hazards in the Northern part of the country.

Local Economic Development (Led) Strategies in other Countries

In Europe, for over two decades now, the failure of top-down national policy to alleviate poverty at the local level has led to the emergence of local initiatives as a preferred instrument of economic development. The “local development movement” refers to the diversity of initiatives taken by different social agents which include:

1. local entrepreneurs demonstrating a strong identification with their community;
2. socio-economic institutions: chambers of commerce, local sections of unions;
3. social and political movements rooted in the local communities;
4. political decision-making agents at different levels in the spatial hierarchy (local, regional and national administrations, supranational authorities such as the European Commission);
5. mixed agents, such as local development agencies with private and public partners (Moulaert, *et. al.*, 1996:4).

The actions undertaken by these different agents can be combined (e.g. in the form of networks or partnerships) or occur independently. These agencies have taken different types of initiatives: services to investors (advice, training, preparation of investment projects), lobby for financial support, organize public infrastructure, etc. In the setting of such actions, local governments have, to a certain degree, adopted an entrepreneurial role. At the same time, in many localities, local business people have become more community concerned, unions have partially identified with the profit logic of capital, and regional, national or European public authorities have entered into partnerships with their local counterparts.

In European countries (such as France, Great Britain, Germany, Spain, Portugal, Greece and Italy) two critical issues were raised:

- the involvement of large firms in local dynamics
- institutional framework which should foster development initiatives by regional and local authorities.

The experience of the two largest countries of the European Union – Germany and France – shows that LED approach is remarkably success. In Germany, for instance, LED approach shape the orientations of the concrete programmes adopted by local authorities and today Germany is highly developed with good welfare schemes to her citizens (Benfer, 1996). Similarly, the local development ‘movement’ in France, which started with the Decentralization Act of 1982 allowed local public institutions to increase their intervention in the local economy. In the early 1980s, local authorities used their new powers to support local firms financially and also to provide favourable business environment.

In Great Britain, the first local development programmes called community development programmes (CDPs) were designed in the late 1960s to address the concentrations of unemployment, poverty and social malaise in inner city areas. In Italy, the SMEs-based local production systems and industrial districts were used to create development at the local level (SMEs = Small and Medium-size Enterprises). Industrial districts were first ‘rediscovered’ in Italy in the early 1970s. Since World War II, the eastern side and the center of the country, subsequently called ‘Third Italy’, have experienced a process of diffuse industrialization.

According to Scott (1988), the Third Italy accounts for as much as 37.3 per cent of the total employment in manufacturing in Italy.

In the United States, from the Johnson to the Clinton administration, the successful local development policies all pushed the public sector to call on the private sector. This led to intense competition between Local Governments to attract outside private investors. In Latin America, the Governments impeded privatization and an institutional decentralization which failed to give any significant economic power to the local authorities. Both in US and Latin America, the retreat of the Central State without the emancipation of local authorities left the floor to the involvement of the civil society in local economic development. This took the form of the community development corporation movement in North America and of community-oriented non-governmental organizations in South America.

The Performance of LG Managers from other Countries: Lessons for Nigeria

A considerable number of Mayors in other countries, which are of equivalent status to LG Chairmen in Nigeria, are now responding to new challenges and beginning to turn their communities into instruments for change. According to Rabinovitch (1996), inspirational and imitable examples of mayoral leadership, which combine innovative management strategies with participatory concepts, do exist worldwide.

- Curitiba, Brazil, represents perhaps the most comprehensive of such examples. Counting on the leadership and political will of its Mayor, Curitiba began in the early 1970s to manage, control, and direct its growth process; develop an efficient public transport system; and pioneer innovative programmes.
- The Mayor of Accra and Dakar, in Africa, have attracted international attention to the partnerships being developed in their communities between public and private sectors and within city neighbourhoods.
- The city of Quito, Ecuador, developed an extensive programme of cooperation with international development agencies.
- In Bombay, India, a partnership between public authorities, hospitals, schools, and foundations implemented a successful initiative to educate children of low-income areas about preventive health and immunization. These children became 'mini-doctors' performing a monitoring role in their respective slum areas.
- Kingston, Jamaica, provided training to involve women in the local construction industry.
- In Casablanca, a culturally sensitive mass housing project for 25,000 low-income people successfully involves formal and informal organizations to run different aspects of community life such as security, gardening and waste management.
- In Tijuana, Mexico, a programme developed by the local administration distributes a percentage of the city budget to community groups committed to developing specific public works; these projects are selected through neighbourhood consultations.
- Other cities – such as Cebu City in Philippines, Zanghai in China, Santiago in Chile, Belo Horizonte in Brazil, and Johannesburg in South Africa – have demonstrated the value of partnerships between Mayors and civil society in developing and implementing successful projects.

These examples of Mayoral leadership are not limited to developing countries; there are cases in the United States and Canada, Indianapolis and Toronto, where good examples of efficient urban management exist.

Alleviating Poverty Through Local Government Entrepreneurial Ventures in Nigeria

Addressing the problems of poverty at the grassroots level is through LG managers who operate at the grassroots level both in rural and urban areas. LGCs should look inward and engage themselves in entrepreneurial ventures. The new skills of LG Chairmen must now include the ability to raise capital, tax and spend, and to manage the environment. The new vocabulary must include the words partnership, accountability, participation and transparency. Now that Nigerian urban centres have been fragmented into several Local Government Areas (LGAs), Local Governments in urban areas can now be a key player in the transition toward improved forms of urban governance. This can be done through collaborative effort between the local administration and the community working in an integral fashion. The role of the Chairman can become that of a facilitator, a catalytic force pushing together innovative-shared responsibilities. There are five components of entrepreneurial ventures at the LG level and these are: partnership accountability, infrastructural development, favourable business environment and production sector.

Partnership: In order to improve the welfare of grassroots people, it has been recognized that Government alone may not be able to cope. Hence, the emergence of partnership as an approach. Partnership between Governments, the private sector and the civil society have been identified internationally as the approach that can be adopted to address the complex social and economic ills of local communities in the 21st Century.

Depending on the nature and types of business ventures, a LG may embark on its own project and thus establish partnership with its citizenry – private individuals and organizations. Similarly, a group of LGs in a state can form business coalition called Inter-Local Government Entrepreneurial Ventures (ILGEV) for the purposes of initiating, developing and sustaining development at the grassroots level. Entrepreneurial venture is realizable if some causative chain of events takes place. These events are accountability, infrastructural development, and favourable business environment.

Accountability: Accountability of decision makers at the grassroots level requires inward looking; tapping and deriving some strategies from the existing local institutions that are self-governing. In this respect, CDA as an organization has proved to be a vehicle for socio-economic emancipation at the grassroots level. Recent studies confirm that these organizations demonstrate element of good governance. The community development associations are community oriented as their names imply, inward-looking, self-sustaining, highly participative and on most occasions, have been rendering curative assistance to their communities' identified problems. Though, all the associations are not successful, there are enough evidence that those who are successful constitute the majority. The associations are generally multifunctional in that they undertake a wide variety of tasks – from supporting education to building roads, assisting agriculture, and other projects like water supply, electricity, post offices, markets craft centres, cattle dip, hospitals civic centres etc.

In view of the success cases of community development associations in managing their own affairs through communal co-operation, cohesion and participation, identification of common needs, realization of goals, resources mobilization and accountability, and overall poverty alleviation capability, there is need for LG managers to work closely with CDAs and get them involved in all the LG ventures.

Also, it is recommended that the revenue generation of LGs should be re-oriented to reflect inward-looking rather than outward-looking. The argument is that accountability is more likely to be prioritized when LGs generate most of their revenues from the local area rather than depending on external grants. Moreover, inward-looking revenue generation encourages innovations and utilization of vast local natural resources, which in turn enables leaders to develop planning, and management skills. It also safeguards LGs from running aground when there is sudden cut in external grants.

Infrastructural Development: Infrastructural development at the grassroots level is an indispensable factor in creating favourable business environment and in alleviating poverty. The collaboration between LGs and CDAs in infrastructural development will reduce project cost as the latter are likely to contribute communal labour during project execution. At present, the community development associations constitute the prime mover of infrastructural development at the grassroots level in Nigeria (Olowu, *et.al.*, 1991; Awotona and Akinola,

1996; Akinola, 1997; Olowu, 1999; Akinola, 2000; Akinola and Akutson, 2001). If there is improvement in accountability by decision-makers, then the efforts of local government leaders and that of the community members will be positive-sum. As it happened in India in the 1960s, it is suggested that the three levels of Governments should make substantial contributions to infrastructural development at the local level. This is one way of starting investment in the sense that infrastructural development constitutes the foundation for the real capital goods like factories, machines, and all goods which yield a flow of consumer goods and services in future period.

Favourable Business Environment: With infrastructural facilities and security of lives and property entrepreneurs will be attracted and encouraged. It needs be pointed out that security at the grassroots level in Nigeria has transcended the realm of officialdom to community initiatives. For instance, the vigilante groups have proved effective for securing lives and property in various communities in Nigeria. Favourable business environment is likely to serve as incentives for business ventures that will be undertaken by various Local Governments, Co-operatives Societies, non-Governmental Organizations and Private Individuals.

Production Sector: The union of LGs in every State should make an inventory of natural resources within the area and survey people's needs. ILGEV should embark on feasibility study of certain small-scale industries like food processing firms – yam flour, flour, maize, guinea corn, grapes etc. The report of feasibility study should be made available to the public, especially for interested groups like Co-operative Societies, Private Organizations and Individuals. Individuals LG or a group of LGs should also establish firms and small-scale industries, which should be jointly owned by LG, groups and individuals through share holding. The firms and industries that are established will, invariably, generate employment opportunities for the local people and their products are likely to be affordable because of cheap raw materials that are available for the industries within the locality. Consequently, low cost of living, savings, and further investment are likely to take place. Thus, there will be improvement in the welfare of people and poverty will reduce.

Conclusion

The dimensions and magnitude of poverty at the grassroots level in Nigeria reflect official inadequacy and the weakness of top-down approach to development at the local level. This circumstance has caused the emergence of local initiatives in various communities in Nigeria to resolve infrastructural problems. In Europe and America, local economic development strategy otherwise called local initiatives has proved to be tremendously successful in initiating and consolidating community efforts at reducing poverty through socio-economic activities.

In order to address the problem of grassroots poverty in Nigeria, a more decisive and comprehensive strategy that will involve the Governments and non-Governmental Associations as well as Private Individuals is required. In this respect, it is suggested that groups of LGs or individual LG in collaboration and partnership with NGOs and individuals should form business coalition for investment activities. They should be concerned with initiating, developing and sustaining development at the grassroots level. The basic components of entrepreneurial ventures are accountability, infrastructural development, and favourable business environment. Favourable business environment will provide good ground and incentives for different types of ventures that will be undertaken by various Local Governments, Co-operative Societies, non-Governmental Organizations, and Private Individuals. The resultant effect is that, other things being equal, there will be job opportunities for people and products of firms will be available at affordable prices because of cheap raw materials that are available within the locality. Consequently, low cost of living, savings, and further investments will take place. Thus, there will be improvement in the welfare of people while poverty will reduce.

It is believed that if this recommendation is adopted, the provision of infrastructural facilities at the grassroots level will be a joint responsibility of the government and the people; accountability on the part of LG officials will improve; there will be favourable business environment; processing firms and other enterprises will spring up; job opportunities will be

available; income and consumption pattern will be influenced; welfare of people will increase and poverty at the grassroots level will be alleviated.

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EXAMINATION MALPRACTICES: A THREAT TO VALIDITY OF NIGERIAN PUBLIC EXAMINATIONS

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Abstract

This paper examines the issue of examination malpractice which has constituted a threat to the validity of Nigerian public examination. It describes what examination malpractice is, the types and causes of examination malpractice. It considers the implication on the validity of public examinations in Nigeria and also suggests the ways out of the problems.

Introduction

Like bribery and corruption has become a culture in Nigeria so also examination malpractice had become a serious menace that is threatening the validity of Nigerian public examinations. This has constituted a growing scourge in our society. This issue had attracted frank comments from concerned citizen because of the trends and the increasing rate of its spreading. It has eaten deep into the life of the Nigerian students that they can hardly write any examination without cheating. The issue of examination malpractice has been on for long. Fagbamiye (1998), claimed that it had be on since the 1970's as a minor headache but became very widespread in the mid 1980's. In order to curb this act the federal government made a decree in the middle 1980's stipulating a twenty one year jail for anyone found guilty of examination malpractice. It is unfortunate that the decree did not curb the alarming rate of examination malpractice among Nigerian students. This papers examines the threat of examination malpractices on the validity of Nigerian public examinations.

What is Examination Malpractices?

Many educationists have defined examination malpractices from different point of views. Oluyeba and Daramola (1992) defined examination malpractice as any irregular behaviour exhibited by candidates or anybody charged with the conduct of examination in or outside the examination hall, before; during or after such an examination. Salami (1994) viewed examination malpractice as an improper and dishonest act associated with a view to obtaining an unmerited advantage. Fagbamiye (1998) claimed that examination malpractice is an attempt by examinees or their agents or collaborators to influence the outcome of examinations unfairly. The agents could be either students, teachers, invigilators, supervisors, parents or guardians. Onogon (1994) defined examination malpractice as a wrong doing in an examination which involves misconduct, irregularity as a situation which is contrary to the established rules and directives to be followed in order to effect fair conduct of examinations.

It could be deduced that the issue of examination malpractice involved many actors such as students, invigilators and people connected with the conduct of the examination. It is an abuse of trust and position.

Incidences of Examination Malpractice in Nigerian Public Examination

In Nigeria, the importance attached to examination is very vital. This is revealed in the desperate act of people to obtain a certificate at all cost. Examination had been the only means of testing mental ability of students, to predict competency and also pre-requisite for selection purpose. To be found qualify, some desperate people would want to use unfair means to gain undue advantage over others.

Examination malpractice in Nigeria had been occurring for many years. Oluyeba (1998) discovered that WAEC cases of malpractice which resulted to public criticism of WAEC

examination occurred in 1963, 1967, 1970, 1973, 1974, 1979, 1981, 1987 and 1991. the rate was so alarming between 1967-1977 that the federal government had to set up judicial tribunals to look into the causes and if possible proffer remedies. Exam malpractices was not limited to WAEC alone, Isemeye (1987), confirmed that examination malpractice had become one of the biggest problems facing JAMB.

There have been lots of unfavourable comments on some students high scores in UME. Falayajo (1998) described the case of a student in one of the highly rated schools in Ibadan, who was reported to have obtained a score of 301 in the UME conducted by JAMB in 1993. He mentioned that the immediate reaction of the “hot” students from the same school was one of “disbelief.” In fact, the students remark was “for where”! “Any student from our school capable of scoring 301 in JAMB will be well known in the school for his/her academic excellence.” He also described the reaction of a student who went to the Admission Office in University of Ibadan to check his own result as “strange”. The student, according to him; scored a high mark of 268 but his comment was that “so they can only give me 268 after paying N5,000”. Furthermore, he mentioned the case of a list of some educational saboteurs sent from JAMB result of 1993; where each name on the list has two sets of scores against it; one labeled “false” and other “true score.” According to him, an applicant for medicine had a true of score 124, but a false score of 289. A Law candidate had a true score of 112 but a false score of 272, another law candidate whose true score was 190 had a false score of 315 recorded for him. There are some questions requiring very urgent answers in a case like this. When were these irregularities discovered? Some of the candidate on the list have actually presented letters of provisional admission supposedly issued by JAMB, were the letters forged? Whatever the answers to these questions may be, one still commends the courage of JAMB in publishing the list.

There have been lots of students who gained admission into universities through JAMB and are found to be unable to cope with the university education. Ejikonye (2004), lamented that many who obtained high scores in UME did not demonstrate comparative level of ability in the university. According to him, “the time the helpless teachers meet these high scoring students in class, it then becomes obvious that JAMB had given them live snakes in their hands”. He continued “they cannot even understand the basic courses which are designed for average level students yet these are supposed to be extremely brilliant students judging from their JAMB scores”!

Ogedengbe (2000), also discovered that candidates admitted into the Nigerian universities through JAMB, many of whom were credited with high scores such as 260, 270 or more were being asked to withdraw due to intolerably poor academic performance. He mentioned that JAMB results are far from reflecting the true relative abilities of candidates. “That the JAMB questions leak regularly, impersonation is widespread, high mark can be bought from JAMB officials and that JAMB computing system sometimes does interchange marks for a fee. All these unfavourable comments made people to cast doubt on the integrity and validity of UME. The question now is “how well can UME predict the performance of students in the universities since the JAMB is the only testing organization responsible for the conduct of placement examinations into Nigerian Universities?”.

Types of Examination Malpractice

Examination malpractice takes different forms depending on those who are involved in the act. Salim (2003) indicated that less than 1:1000 of the candidates had their results cancelled due to cheating in 1978 but that ratio has increased significantly to about 1:6 in 1997. He further revealed that “the Board expressed grave concern and dismay at the continued increase in the incidences of irregularities and malpractices perpetuated by candidates and in some cases invigilators and other supervisors during the examination.” He went on to disclose that examination malpractices in UME were relatively high with a strange phenomenon of impersonation. According to him, the main types of examination malpractices that have been identified by the JAMB include:

- Impersonation;
- Collusion among candidates or between candidates and invigilators;

- Smuggling prepared answers into the examination hall;
- Swooping answer scripts and registration numbers;
- Smuggling out of question papers for assistance;

It is very amazing how the incidence of corruption and cheating in our public examination has grown so enormously and to so diverse proportions and complexities over years in our national life. The conditions that tend to foster this development ought to be explored as well as the implications these could have not only for the nation at present but also for future generations.

The Concept and Theory of Validity

Validity is commonly regarded as the most important quality of measuring instrument, It could be possible to develop a test that measures with perfect consistency but whose scores could not correlate with any variable. Such a test would be of no practical value nor could its scores be meaningfully interpreted because the scores on the test would be related to nothing other than the scores on another administration of the test. Such a test would measure high reliability but would have no validity.

Mehreen and Ebel (1967), defined validity of a test as the capacity of the test to predict some specific behavioural measures. There are still other definitions of validity with peculiar connotations. Gulliksen (1950) maintained that the validity of a test is the correlation of the test with some criterion. Lindquist (1942) regarded the validity of a tests as the degree to which the test approaches infallibility in measuring what it purports to measure. Curetion (1951), saw the validity of a test as an estimate of the correlation between the raw test scores and the true scores. Also Edgerton (1949) viewed validity as the extent to which the measuring device is useful for a given purpose. Cronbach (1960), opined that the more fully and confidently a test can be interpreted, the greater its validity while to sum it up, Brown (1970), viewed validity of a test as the extent to which the test measured the hypothesized underlying trait, construct or factor and the relationship between test scores and some extra-test criterion measure. From the above, opinion, there seems to be a consensus among the authors regarding the definition of validity. Obviously, there are some conceptual similarities in the definition, which makes them genuine enough to be accepted as operational definition of the same quantitative concept.

Validity provides a direct check on how well a test or an examination fulfils its function as a measuring instrument. The validity of an assessment procedure, therefore, is indicated by the extent to which it assesses what it is meant to assess. For example, if an aptitude test is to be used in selecting applicants for admission into a School of Medicine in a University, the criterion would be ultimate success in the school of medicine. Some measure of academic performance such as grades and lecturer's rating would be obtained for each students, and such a composite measure constitutes a criterion with which each student's initial test score in the school can be correlated. A high correlation or validity coefficient would be an indication of relative success in the school for those applicants who scored high on the test, while a low validity coefficient would indicate relative poor performance. Hence Brown (1970) summarized the whole concept of validity when he said "the flavour of the concept can be conveyed by the type of questions validity analysis seeks to answer.

- How well does the test do the job it is employed to do.?
- What traits are being measured by the test?
- Is the test actually measuring what it was designed to measure?
- Does the test supply information that can be used in making decision?
- What interpretation can be given to scores on the test?
- What can be predicted from the test scores?
- What percentage of the variance in the test score is attributable to the test measures?

Types of validity and related criteria are:

- Predictive Validity:-** correlation of present set of scores with a set of future events.
- Concurrent Validity:-** Correlation of present scores with some other observation of present behaviour.

- (iii) **Content Validity:-** Representative of items of some well-defined universe of content.
- (iv) **Construct Validity:-** Comparability of results with some theoretical derived hypothetical model.
- (v) **Face Validity:-** Facial makes up of the test items.

A test which cannot demonstrate predictive, concurrent or content validity is of little value to interpret to the clients. Test only have value when it can be interpreted to clients, to help them understand better the probability of future events — (predictive validity), to compare with some relevant group (concurrent validity) or reveal completely how they have mastered some fields of knowledge (Content validity).

Relationship between Reliability and Validity

Reliability could best be explained by introducing the idea of a true score. A true score is the score a person would obtain if a test could measure a trait without error.

An alternative definition by Brown (1970) is that a true score is the average score the individual would make over an infinite number of repeated administrations of the test. In as much as there is no psychological test that measures without error, the score a person obtains in a test is made up of his true score and can be expressed as:

$$X_0 = X_T + X_E \text{ where}$$

X_0 = obtained score on the test
 X_T = true score on the test
 X_E = error score on the test which may be positive or negative.

When X_E is positive, it means that the true score is over estimated by the obtained score and when it is negative, it means that the true score is under estimated by the obtained score. Brown (1970) therefore defined reliability as the ratio of the true variance in a set of test scores to the total or obtained variance, It can be expressed as:

$$r_{tt} = \frac{S_T^2}{S_0^2} = \text{where}$$

r_{tt} is reliability of test
 S_T^2 is variance of true scores
 S_0^2 is variance of obtained scores

This equation however can be related to the basic equation that shows the relationship between obtained scores, true scores and error scores. Relating the basic equation to the definition of reliability we have:

$$X_0 = X_T + X_E, \text{ and when the question is applied to a set of scores it can be written in terms of variances so that}$$

$$S_0^2 = S_T^2 + S_E^2$$

Hence reliability as the proportion of true variance in a set of test scores is defined as the total variance (S_0^2) in a set of scores and it is equal to the sum of true variance (S_T^2) plus error variance (S_E^2)

$$\text{i.e } S_0^2 = S_T^2 + S_E^2 \text{ (i)}$$

but validity as the proportion of relevant variance implies that true variance can be divided into two components namely, relevant variance and other reliable but irrelevant variance.

$$\text{i.e } S_T^2 = S_v^2 + S_i^2 \text{ (ii) when}$$

S_v^2 = relevant or valid variance
 S_i^2 = irrelevant but reliable variance.
 Substituting equation (ii) into equation (i) gives

$$S_t^2 = S_r^2 + S_i^2 + S_E^2 \quad \text{(iii)}$$

Equation (iii) indicates that as the error variance decreases (i.e the test becomes more reliable) the proportion of potential valid variance increases. However, as the remaining systematic variance may be either relevant or irrelevant, low error variance is a necessary but not sufficient condition for high validity.

Brown (1970), also stated that the validity-reliability relationship can also be shown by a formula involving the correction for attenuation, the correction to take into account the fact that psychological measures are not completely reliable. Given certain assumptions

$$V_{xy} \leq \sqrt{r_{tt}} \quad \text{(iv)}$$

where V , is the validity coefficient. Equation (iv) states that the validity coefficient cannot exceed the square root of the reliability coefficient, the validity of a test will be limited by the reliability of the test.

Implication and Effects of Examination Malpractice on Validity of Exams

The effect of examination malpractice could be seen from the moral and legal perspectives. Morally it is an act of indiscipline in a society. It could result to loss of self confidence, loss of integrity, false representation of one's ability and increase in the cost of conducting examination. The issue of examination malpractice has made people to cast doubt on the integrity of Nigerian public examination. For example, Ejikonye (2004) pointed out some laxities on the part of JAMB. He argued that insufficient invigilators and lack of adequate security had given room for widespread malpractice at the examination centres. There had been cases of inability to locate examination centers of candidates in periods of examinations. In previous years, there had been mass choice of centres for UME in some specific cities of the nation as a result of candidate private arrangement to aid examination malpractices. There had been cases where JAMB had reacted by canceling the results of some centers thereby punishing innocent candidates in the process. This notwithstanding, there were reports about candidates whose incredible high scores did not reflect in their own level of intelligence, while some candidates who managed to score just a little above 200 marks by their own efforts and were privileged to secure admission were performing excellently well. According to him, some conscientious university administrators and lecturers were highly concerned about this disparity. It was believed that, that was why some universities made moves recently to make their incoming students write post UME organized by the university after JAMB had released UME results. The degree of cheating and all forms of examination malpractices had been on the high level in UME due to the fact that selection of candidates to Nigerian Universities had been more competitive.

Involving in any form of examination malpractice negates the vital objectives of conducting the examination. It deprives both the examinee and examiner the opportunity to determine how much knowledge has been acquired or passed in relation to the desired objectives of the study. In this situation the examinee finds it difficult to adjust to the level which the examination is intended to measure; and the teacher finds difficulty in assessing his effectiveness. Examination malpractice rubs of the predictive validity of examination. That was why Ejikonye (2004), lamented that the performance of students in UME did not demonstrate comparative level of ability in the university education.

What are the Possible Reasons for Examination Malpractice

The following are reasons given by D.I. Denga (1983) as possible instigation factors for cheating behaviour.

- i. *The value of a certificate or result as key to further education or employment.* Emphasis placed on the result of the examination for the purpose of certification or educational and occupational placement instigates them to employ every possible means to pass the examination and to pass it very well to meet the competitive level.
- ii. *Pressure from “significant others” on students:-* The significant others’ include parents, guardian, teachers, peer group, who expect the students to reach a very high level of performance in the examination. Parents in particular have certain goals for their children and they try to push them to fulfill these goals regardless of their abilities interest and resources. The students often resort to cheating if they cannot meet the expectation.
- iii. *Limited number of invigilators for crowded examination halls:-* it is a common thing to find examination halls crowded with only few invigilators. Thereby given room for cheating.
- iv. *The absence of severe punishment for those caught cheating:-* if the culprit are made to pay the prize and refused to be pardoned, examination malpractice would reduce to the minimal.
- v. *Low academic ability:-* those who know they cannot do well in the examination try to supplement their efforts by bringing in notes and formulae to the examination hall.
- vi. *Inherent human tendency to cheat:-* Human being natural has the tendency to look out for short-cut out of any difficulty situation.
- vii. *Lack of integrity/low moral judgement”-* Individuals who think at a high level of moral reasoning are less likely to engage in examination malpractice.

The Way Out of the Problem

Since academic pressure and overwhelming importance attached to certificate in Nigeria are major factors contributing to examination malpractices in Nigeria, the following are suggestions as way out of the problems.

- i. Educators should explore ways of minimizing cheating either by including ‘teaching’ cheating as a topic in the school curriculum. It could be in form of moral education in primary level and good citizenship at the secondary level.
- ii. Sanctions against academic dishonesty should be imposed and executed most strictly.
- iii. The school counselor should be encouraged to deal with cases of examination cheating that have roots in psychological, intellectual and moral judgement.
- iv. Less value should be placed on paper qualification.
- v. Technical education should be encouraged and improved were emphasis would only be on craftwork and not more certificates.

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AN APPRAISAL OF NIGERIAN FOREIGN POLICY ON NATIONAL DEVELOPMENT

MERCY O. ERHUN

Introduction

Development is the wish of many but only a few attain it. The Less developed countries of the world are properly so called because of the degree of lack of development witnessed in those countries of the world. The elusiveness of development calls for a joint effort on all parts in order to bring development to the door-steps of all in order to overcome the challenges of lack of development. The instrumentality of Nigerian foreign policy to bring about national development is hereby appraised.

Africa has been the cornerstone of Nigeria's foreign policy over the years. Nigerian has been playing the role of 'United states of ECOWAS' at very great cost to the nation. The need for a foreign policy that focuses on human development cannot be overemphasized if Nigeria is to meet the needs of this present millennium.

A re-orientation on Nigeria's foreign policy towards a more profitable venture that will be of benefit to Nigerians with a global focus becomes imperative.

The focus of this paper is on how to make economic development and the well being of Nigerians to be the mainstay of Nigeria's foreign policy with the goal of enhancing the country's national development and creating benefits for the betterment of the people.

What is Development

The term development has been defined as "the act of developing or the process of being developed".¹ To develop is to bring about the full possibilities of land or natural substances².

Prior to the second half of the twentieth century, the world economic structure was based on imperialism and colonialism. The colonial regions had the sole economic functions of providing raw materials for economic production³. The aftermath of the Second World War witnessed a steady decline and eventual downfall of colonialism, and made way for the recognition of social and institutional correlates in economic development theory and policy⁴. There was thus a great shift from economic growth indices towards the recognition of social indices of development. To accelerate this new trend, several international institutions such as World Bank, International Monetary Fund, and United Nations were created. The New International Economic Order (NIEO) based on equity, sovereignty, independence, common interest and cooperation among states irrespective of their economic and social system were also established⁵. At this period, social indices such as education, nutrition, health, sanitation and employment for the poor became the main focus⁶. This period inspired the creation of the United Nations Development Programmes (UNDP), Human Development Index (UDI) which

¹ Longman Dictionary of Contemporary English, New Edition, Longman Group UK Ltd (1987), P. 280

² *Ibid* p. 279

³ Harrison Jonattan, Basic Principles of sustainable development available at www.ase.heft.edu.gdoc/publications/working_papers/sustainability_10_20_Development_PDF.

⁴ *Ibid* p. 2

⁵ Ajana Davies, Sustainable Livelihood, Environment and Development *Management Issues in Nigeria*, (Tonyiraft Trades Ltd, 201, p. 59)

⁶ Streatan Paul, *et al*, *First Things First Things First Meeting Basic Human Needs in Developing Countries*. Published for the World Bank (Oxford University Press, 1981).

made use of health and educational measures, together with Gross Domestic Product (GDP) in the calculation of overall index of development success⁷.

Sustainable Development

In 1987, the concept of development took a different turn. The report of the Brundtland Commission encapsulated the concept of development to include economic, environmental, social, cultural and health needs as well as political needs. According to the Commission, the ability to meet future needs must not be jeopardized by the present generation, thus giving rise to the paradigm: Sustainable Development.

The present or modern definition of development concerns itself with social and political issues but focuses more on goals, ideals and ends as well as economic means⁸. Consequent upon the above, economic development is said to occur when there is a rise in per capital income, in addition to improvements in the distribution of income, with a greater population gaining access to schools, hospitals, communication means and transportation needs overtime; as well as improvement in production techniques and the general quality of life. Development thus implies a qualitative change in structure⁹, thus giving recognition to human factor and placing focus on the needs of the people rather than machines and institutions¹⁰. According to the United Nations Development Programme (UNDP), we are rediscovering the essential truth that people must be at the centre of all development¹¹. In the words of the World Bank, "investing in people, if done right, provides the finest foundation of lasting development"¹². It stated further that all people have the same basic needs including fresh air to breath, clean water to drink, uncontaminated food to eat and livelihoods that allow them to earn their keep, and raise healthy educated children¹³.

Be that as it may, the Brundtland Commission disclosed that it was not enough that the needs of the present world population as listed above be met at the risk of future generations not being able to meet their own needs.¹⁴ Instead, the Commission popularized the development that meets the needs of the present without compromising the ability of future generations to meet their own needs. This is what sustainable development is all about. Graaf defined sustainable development as a development of a socio-environmental system with a high potential for continuity because it is kept within economic, social, cultural, ecological and physical constraints¹⁵. Lele defined sustainable development as a form of societal change that, in addition to traditional development objectives, has the objective or constraint of ecological sustainability¹⁶. The principle of sustainable development seeks to promote the principles of sustainable environment, economy and social equity.¹⁷ Sustainable development is all about a solution to tackling environmental, social and economic issues together¹⁸. Since people is the centre of development, a study of this nature will not be complete without a perusal of Man-Power Development.

⁷ Harrison *op cit.* p. 3

⁸ Harrison *op. cit* p. 2

⁹ Ako R. Temitope Corporate Social Responsibility: The Niger Delta as a study case, unpublished LL.M Dissertation, 2000 p 6

¹⁰ The Report of the Independent Commission on International Development Issues in 1980, what does Development mean?

¹¹ UNDP 1990 *Human Development Report*

¹² World Bank, The 1991 *World Development Report*

¹³ White paper on International Development presented to parliament by the British Secretary of State for International Development, Eliminating World poverty it challenge for the 21st Century

¹⁴ The Brudtland Commision Report our future (1987)

¹⁵ Graaf H.J.de, *et al*, Sustainable Development Published on website www.sustainable.org/su100.htm

¹⁶ Lele, Sharachchandra, M, *Sustainable Development: A critical Review*, World Bank 19(b) 1991p. 610

¹⁷ *Defining Sustenaible Development* Published on Websit wwwsustainable.ed.org/su 1000 htm

¹⁸ Rowe Mark, Plants or People. *Development Issues*, 18 Second Quarter 2002 p. 12

Man-Power or Human Capital Development

In order for Nigeria to attain meaningful progress or development be it social or economic, attention must be paid to man power development. The importance of man-power development cannot be under-estimated. Investment in human being is the greatest asset in which Nigeria can invest. Human beings are the most essential tools that can be used to attain socio-economic development. Man-power training must be given adequate attention in order to realize socio-economic goals¹⁹

In this regard, there must be development of key human resources policies that can be used to address human performance need relative to business goals and in this case, the goal of attaining national development through Nigerian foreign policy. In order to assess the efficiency of the foreign policy structure in Nigeria towards attaining national development, the capabilities of the people must be assessed. There must not only be development of foreign policies and practices that will enhance human development, there must also be an effective management of such policies through a standard, legal and social approach. This requires acquisition of new skills and training for improved performance which must be reflected in Nigerian foreign policy. No matter how sound Nigerian foreign policy may be, a deficiency in the area of capacities building renders such policies less effective²⁰.

In my view, Nigeria must be more positive towards its capacity building initiatives in order to ensure that Nigerian foreign policy brings about national development.

The Minister of commerce and industry, Chief Charles Ugwu remarked that skills acquisition was the only way Nigeria could train sufficient manpower to meet its needs. According to him human capital development is critical to attainment of development in Nigeria. Unfortunately, Nigeria is a nation that cares little or nothing about its human capital development despite the assertion above.

National Development

One of the driving forces which sustained the quest for independence is the belief that development would necessarily follow independence. To many nationalists, as soon as citizens were allowed to manage their own affairs, they would so conduct the affairs of the nation to enable the country attain the level of development already reached by the western world. Consequently, as soon as they came into power, the Nigerian political decision-makers began to set their house in order and policies were put in place to see to the realization of their dream for national development in order to herald a glorious future⁵³. In view of the above, the then Prime Minister⁵⁴ made the first clear statement of the principles and objectives of Nigeria's foreign policy to Parliament on 20th August, 1960 which he elaborated upon in his address to the United Nations General Assembly on the occasion of Nigeria's admission on 7th October, 1960. It would appear that development was seen in terms of increasing the material well-being of the country within the framework of the British system of government which had been introduced into the country. Ambitious policies for road construction and social services for industrialization were outlined and steps were taken to implement them. An elaborate five-year development plan was put forward. Since then different development plans have been put forward, the goal of which is to improve the well-being of the citizens of Nigeria. The ultimate question to answer is how far has the lot of the common man been affected. The average citizen appears worse off than before despite all efforts to bring development to the doorstep of all. There is no evidence to show that the quality of life of the average man is better off. According to Dudley, Nigerians have never had it so bad.⁵⁵

¹⁹ Mr. Jacob Beger, Managing Director of Heidelberg Nigeria Ltd. *The Guardian* Tuesday Aug. 7 2007 p. 4

²⁰ Fidelity Osime, Human Resources Director of Unilever Nig. Plc, *Guardian* Tuesday Aug. 7 2007 p 3

⁵³ R. L. Sklar, *Nigerian Political Parties* (Princeton N. J. : Princetone Univ. Press, 1963);

⁵⁴ Sir Abubakar Tafawa Balewa

⁵⁵ B. J. Dudley, "Exit Voice and the Nigerian Political System," A Presidential Address to the Nigerian Political science Association Convention at the University of Nigeria, Nsukka, 1974

The Nigerian Economy

At independence, Nigeria depended basically on the export of agricultural produce which accounted for about 61% of its foreign earnings. The development of the manufacturing sector after the Nigerian civil war, led to a corresponding dependence in foreign inputs like capital managerial skills and technology. This was followed by the oil boom and petrodollar inflow which made Nigeria to embark on a flamboyant foreign policy.⁵⁶ This led to a cumulative events of crushed primary commodity prices, oil shocks, discredited static policies and dysfunctional military rule⁵⁷ at the close of the 1970s. Since that time, Nigeria has developed monolithic oil economy which have subjected the country to vagaries of economic downturns. Poverty was institutionalized, turning the nation into a beggar status.⁵⁸ This situation further deteriorated the economy which was dependent, disarticulated and peripherally integrated into the world. In order to redress these deficiencies and to bring the nation out of its economic doldrums, the Nigerian government adopted several economic policies such as Nigerianization and indigenization. These policies created very unconducive environment for foreign investors. To address these galaxies of economic challenges, several economic policies such as Structural Adjustment Programme (SAP) were adopted⁵⁹. The use of economic diplomacy was not left out in order to attract foreign investors⁶⁰.

Policy Defined

The word policy has been broadly defined as “the relationship of a government unit to its environment.”⁶¹ Friedrich defined policy as “...a proposed course of action of a person, group, or government within a given environment providing obstacles and opportunities which the policy was proposed to utilize and overcome in an effort to reach a goal or realize an objective or a purpose”.⁶²

Policy is directed towards the accomplishment of some purpose or goal. Public policies are those policies developed by governmental bodies and officials. These are policies formulated by the authorities in a political system. Usually, those engaged in the daily affairs of a political system are recognized as having responsibilities for the formulation and implementation of public policies.

The policy system of a developing country is open and unautonomous, being highly vulnerable to external pressures and influences. It may even fall under the complete control of external actors in certain circumstances. When this happens, policies are formulated, not to meet internal needs and demand, but to satisfy external constituents and interests. In other words, the policy system of a developing country may be penetrated and dominated by external actors.⁶³ Strong economic, political and cultural ties are maintained by developed and underdeveloped countries in the course of their interaction. Consequently, External actors from developed countries operate from a distance to influence the policies of the underdeveloped countries. When this happens policies thus formulated fall short of satisfying internal interest or needs. Rather they tend to satisfy external interest.

⁵⁶ Olaniyan, R. O. “Foreign Aid, Technical Cooperation and foreign Policy in Nigeria” In *Economic Development and Policy*, O. Olusanya, Lagos . Nigerian Institute of International Affairs, 1988 pp 105 - 108

⁵⁷ Akopkari, J. K. “Changing With the Tide: Shifting Orientations of Foreign Policies in Sub-Saharan Africa” *Nordic Journal of African Studies* 8(1): 1999 p 22

⁵⁸ Nwakwo G. O. *Nigeria and Organisation for Petroleum Exporting Countries (OPEC), To be or Not to be?* ondon African University Press 1984 p. 41

⁵⁹ Babanjida, I. B. “Review of Nigeria’s Foreign Policy in 1988” *Nigeria Forum* Nov/Dec. 1985 p. 238

⁶⁰ Nereus, “Influence of Domestic Factory on Nigeria – Israel Reproachment” *Annals of the Social Sciences Council of Nigeria* 5:16 1993 p. 18

⁶¹ Robert Eyestone, *The Threads of Public Policy: A Study in Policy Leadership* (Indianapolis: Bobbs-Merrill, (1971), p. 18

⁶² Friedrich Carl J. *Man and His Government* (New York: Wiley, 1965), p. 79

⁶³ *World Politics: A Quarterly Journal of International Relations* XXIX/19October, 1976), pp 67 -80

Top decision makers in developing countries often have identical interest and identical views on issues and events. Elites in developing countries have similar perception of international relations generally, and the development process in particular with elites in developed countries. As a result, decision makers in developing countries accept the basic features of western society as the development goals for their underdeveloped countries and rely heavily on vertical division of labour as the means of development.⁶⁴

Foreign Policy Defined

Foreign policy is a set of practical measure utilized by governments to meet practical problems which arise in the affairs of states as they interact with one another, with a view to meeting or solving these problems.⁶⁵ They are those decisions and actions which involve to an appreciable extent, relations between one state and others⁶⁶ It is an interplay between the outside and the inside.⁶⁷ It is that area of politics which bridges the all-important boundary between the nation-state and its international environment.⁶⁸ Traditionally, foreign policy is considered as the pursuit of a country's national interest in its interaction with other countries.⁶⁹ It lies at the inter-section of the domestic and international aspects of a country's life.⁷⁰ Foreign policy is in fact a projection of a country's national interest into the trans-national arena and the consequent interaction of one with the other. It consists of coherent and usually fairly rational goals formulated in the light of realistically assessed means for their achievement. Such goals or ends are usually represented by the generic terms "national interests" and are often broken down into specific and concrete objectives.⁷¹ The strategies or means of pursuing such ends are specified in terms of "sticks" and "carrots" i.e. threats, promises and rewards which enables the state to exercise power and influence in the international system.

The foreign policy of any state, Nigeria inclusive, is conditioned by two determinants, namely the domestic and the foreign. In other words, the foreign policy system of developing countries is often open to both domestic and external factors. Most developing countries depend on the capitalist economic system of the western world. Development in that system invariably impact on the economy, society and policy of the developing countries significantly. The development process of developing states is predicated on the collaboration between the private and public companies and parastatals of the developed countries on the one hand, and multinational corporations from developed countries on the other. The later become crucial elements within the domestic environment of the developing countries.

Given the variety of and the mutability of the internal and external ingredients that go into the making of foreign policy, it is pertinent to observe that foreign policy-making has to be a dynamic process. While being consistent, it must also take into account changes both at the national and global levels failing which it stands the risks of irrelevance, obsolescence and jeopardy of national interest.

The foreign policy system of a developing country like Nigeria, is characterized by a diversity of actors because the developing states are characteristically underdeveloped and dependent. The national institutions formally responsible for making foreign policy adopt many policies by proxy. Foreign diplomats representative of international organizations become authoritative actors in the making of foreign policy choices. Consequently, the foreign origins of such policies cannot be excluded from the national foreign policy of a developing

⁶⁴ Johan Galtung, *The European Community, A Superpower in the Making* (London: George Allen and Unwin, Ltd., 1973), p. 80

⁶⁵ Roy E. Jones, *Analising Foreign Policy: An Introduction to Some Conceptual Problems*. London: Routledge and Kegan Paul 1970 pp 11-18

⁶⁶ J. Frankel, *The Making og Foreign Policy: An Analysis of Decision Making* (London: Oxford University Press, 1963), p. 1

⁶⁷ F. S. Northedge, *The Foreign Policies of Power* (London: Faber, 1968), p. 15

⁶⁸ W. Wallace, *Foreign Policy and the Political Process*, (London: Macmillan, 1971) p. 7

⁶⁹ Olu Adeniji, *Economic Dimension of Nigeria's Foreign Policy*, A Paper presented at the Policy Dialogue organized by the Development policy Centre, Ibadan 1997 p.2

⁷⁰ H. H. Lenther, *Foreign Policy Analysis* (Ohio: Merrill Publishing Co., 1974) p. 3

⁷¹ *Ibid* pp 19 - 24

country like Nigeria.⁷² The openness of the foreign policy system of a developing country like Nigeria is reinforced by the interpretation of their domestic and external milieu. Most developing countries are vertically integrated with the capitalist economic system of the western world and depend so much on them. Consequently, development in the developed system have immediate and significant impact on the economy, society and policy of the developing countries.

The development process of a developing country like Nigeria is predicated on the collaboration between the private and public companies and parastatals in the developing countries on the one hand, and multinational cooperations from developed countries on the other hand. The developed countries thus become crucial elements within the domestic environment of the developing countries.

The making of a nation's foreign policy is not in the hands of any single person. Though the principal foreign policy maker of a country remains the head of state, he relies on advice from the Minister of Foreign Affairs who in turn, relies on advice from the professional Foreign Service Officers in his Ministry. In addition to the above there are several actors whose opinions and contributions form important inputs into policy formulation. All these contributors influence the course of the foreign policy of a country, like Nigeria. The practical conduct of foreign policy is thus governed, not only by principles and objectives, but also by the influence of domestic environment in which the foreign policy operate, the quality of advice given and the personal dispositions of individual foreign policy decision-maker.

Foreign policy, just like other policies, are primarily geared towards national survival and progress. The end of foreign policy is the preservation of the sovereignty and territorial integrity of a country.

Nigerian Foreign Policy Objectives

One of the cardinal principles which underpinned Nigeria's foreign policy from her earliest history of foreign policy making remains the creation of the necessary economic, political, social and cultural conditions to secure the independence of Nigeria and other African countries⁷³ In his address to the United Nations General Assembly, the then Prime Minister listed Nigeria's foreign policy as follows:

- (i) the defense of Nigeria/s sovereignty, territorial integrity and national independence;
- (ii) the creation of the necessary economic, political, social and cultural conditions to secure the independence of Nigeria and other African countries;
- (iii) promotion of the rights of all blacks and others under colonial domination;
- (iv) promotion of African Unity;
- (v) promotion of world peace built on freedom, mutual respect and equality for all peoples of the world;
- (vi) respect for the territorial integrity of all nations; and
- (vii) non-partisanship in East-West ideological disputes and freedom of association and action in the international system.

The foreign policy objectives of Nigeria are captured in the Constitution. According to the Constitution:

“The foreign policy objectives shall be:

- (a) promotion and protection of the national interest
- (b) promotion of African integration and support for African unity
- (c) promotion of international cooperation for the consideration of universal peace and mutual respect among all nations and elimination of discrimination in all its manifestation

⁷² Timothy M. Shaw, “The Foreign Policy System of Zambia”, *The African Studies Review* XIX/1(April, 1976) p. 32

⁷³ Sir Abubakar Tafawa Balewa, a one time Prime Minister in Nigeria

- (d) respect for international law and treaty obligations as well as the seeking of settlement of international disputes by negotiation, mediation, conciliation, arbitration and adjudication and
- (e) promotion of a just world economic order”⁷⁴

Set-Backs to Nigerian Foreign Policy

Some of the things that directly affect the cost of realizing Nigeria’s foreign policy objectives are as follows:

Corruption

The cankerworm of corruption has eaten deep into Nigeria’s social fabric. Corruption has become a scourge if not a fundamental objective and directive of state policy⁷⁵. Nigeria’s reputation for corruption is a key issue affecting Nigeria’s foreign policy. Corruption is a major problem in society. It affects Nigeria’s international image as well as Nigeria’s ability to attract foreign investment to the country. Corruption constraints the country’s economic development regionally and internationally. Nigeria’s credit-worthiness has been called into question. History has shown that where and when corruption is put at a minimal level and the most competent and resourceful are made to occupy the highest pedestals of policy formulation and implementation, rapid socio-economic and technological development inevitably follow⁷⁶. The level of corruption in Nigeria has made it difficult for Nigeria’s foreign policy to bring about national development.

Cultural and Religious Diversity

Nigeria is a heterogeneous society. There are many cultural, social and strong religious forces and special interests which ought to be operative and given recognition to in the making of Nigerian foreign policy. Again, federalism, as a form of government is a most appropriate response to Nigeria’s diversity. This ought to permit the plurality of forces the opportunity to give expression to their interests as well as afford them the opportunity to take part in governance. Foreign policy makers are expected to obtain consensus of all and try to balance these varying interest of Nigeria. While it may be true that the constitution gave some competence to the legislature in foreign policy making, sensitivity to the views of the legislators on matters on foreign policy by government is not high enough. This has made it difficult for Nigerian foreign policy to be in line perfectly with the general interest of the country.

Radical/Conservative Dichotomy

In the era of decolonization, a policy of confrontation with the capitalists who were identified with colonization was generally applauded. Socialism was considered as a more appropriate development strategy by developing countries. Socialism was thus recommended as ideology that should guide Nigeria’s foreign policy. This era was characterized by the pursuit of non-alignment policies with pro-Eastern bloc bias. Any policy that sought close relations with the Western countries, be it in the interest of national economic or not, was condemned as being conservative. With the collapse of the socialist system, the evolution of international relations in Nigeria must require new thinking and new reactions. What obtains presently is that the principal antagonists of the past have become partners in the international system. If the future internal environment is to evolve in a dynamic fashion that will be of immense benefit to all Nigerians, new strategies must be adopted in Nigeria’s foreign policy that will not make Nigeria irrelevant or marginalized in the international system.

⁷⁴ Section 19 of the 1999 Constitution of the Federal Republic of Nigeria

⁷⁶ Akin Oyeboade, *The Impact of Corruption on the Political Reform and Economic Recovery of Nigeria*, Nigerian Institute of Advanced Legal Studies, March, 30-31, 1999

The State of the Economy

The state of the Nigerian economy has no doubt influenced not only the formulation, but also the conduct of Nigeria's foreign policy. There is a strong correlation between the domestic health and prosperity of the economy and our foreign policy performance and conduct. For instance, the period of oil boom in Nigeria provided the means for a projection of Nigeria's influence on major African issues. An economy that is self-reliant has a greater possibility for a more independent and influential policy. The Nigerian economy has continued to reflect cycles of prosperity and recession. There is a correlation between strong performance in foreign policy and the cycle of affluence. There must be a continual re-evaluation of the goals and objectives of Nigeria's foreign policy in the context of available resources for its prosecution. Policy makers must ensure that goals and objectives do not outstrip means and thus make them unachievable. The future of Nigeria's foreign policy depends on how national resources are mobilized to provide a solid base for continuous stable economic growth.

Openness of Nigeria's Foreign Policy System

The openness of the foreign policy system of Nigeria has certain implications for both the policy process and the nature of policy output. The diversity of internal and external actors in the policy system leads to problems of coordination and multiple advocacy. It tends to render Nigeria's foreign policy largely reactive in nature. Since Nigeria is highly dependent on the developed countries of the world, Nigeria's action in the international system consists often of responses to stimuli from these states. Nigeria's high dependence on external actors for financial and other forms of economic aid renders Nigeria's leaders disabled to adopt policies that run against the interest and wishes of the external donors, creditors, and trading partners. The parameters of the policies of developing countries like Nigeria are more often than not, set by the degree of importance which Nigerian leaders attach to their economic ties with the developed countries.

Nigeria' Institutional Structures

Nigeria possesses the necessary potential as well as institutional structures needed to formulate a vibrant foreign policy. Nigeria's immense potential is based on its demographic size of over 100 million people, its multi-ethnic population, its vast oil reserves and its reservoir of highly skilled and educated people. However Nigeria has some domestic constraints on its foreign policy. Its constraints lie in domestic factors namely the nature of the foreign policy elite and Nigeria's economic dependence and vulnerability which has made Nigeria a crippled giant.⁷⁷ Nigeria's foreign policy is characterized by reactive and uncoordinated policies. Since the 1990s, the Nigerian state has had to contend with multiple crisis in the very legitimacy of the state, as a result of the disintegration of the social contract arising from the erosion of previous welfare gains fueled by the oil boom of the 1970s. A consequence of diminishing resources produced by the state has led some Nigerians to withdraw into ethnic laagers in order to capture resources or press for the decentralization federal power and end the Federal Government monopoly over the distribution of oil resources. This crisis has led to conflicts involving matters of indigenes versus settlers, oil producing communities versus multinationals all of which have fuelled instability and led to a questioning of the national Nigerian identity. Thus, Nigeria has been immersed in conflict, either at the level of intra-elite power struggle or identity conflicts within the context of its troubled federal experiment. The realization of Nigeria's dream to build a united nation, as well as its regional ambitions can only be realized if Nigeria can resolve these internal problems. The Nigerian foreign policy, once unfettered by its domestic contradictions and with a committed and visionary leadership, Nigeria can become the key to fulfilling the dreams of the unfinished project of Pan-Africanism: the political and economic integration of Africa as a united bloc.

⁷⁷ Eghosa Osaghae, *Crippled Giant: Nigeria Since Independence* (London: Hurst and Company, 1998)

The Role of Military and Security Issues

The role of military and security issues in Nigeria's foreign policy has not received the attention it deserves until recently. The military and security issues in Nigeria's foreign policy had not been properly harmonized. There had been no proper conceptualization of the inextricable link between national security and foreign policy. The dearth of studies on Nigeria's national security and the age-long silence on this issue must be addressed as an essential dimension in any comprehensive study of Nigeria's foreign policy. This includes an examination of individual security issues and a focus on internal threats to national security like religious and ethnic tensions. An integrated approach in examining the military and security issues facing Nigeria must be adopted. Issues such as the maintenance of the country's territorial integrity, security from internal armed subversion, viability of the political system, economic and resource security and the security of lives and property of Nigerians in general must be addressed. It is hoped that the recent government document on National Security and Foreign Policy will go a long way in addressing and filling this gap. Nigeria's borders and natural resources must be adequately secured as the 6th largest oil producing nation of the world.

Diplomacy and Trade

Africa has been the cornerstone of Nigeria's foreign policy and Nigeria has been a global player on the world stage from its role in African liberation struggle to its recent peacekeeping operations in Liberia and Sierra Leone. Because of its historical economic ties with the West Nigeria's foreign policy appear to tilt towards the capitalist West.

Nigeria's approach to both Africa and its immediate neighbour has been based on a policy of decolonization, non-interference, respect for inherited borders economic integration and a commitment to practical policies that promote African unity, and regional co-operation. Functional bodies like the Lake Chad Basin Commission in 1965, the Niger River Basin commission, the Nigeria-Benin and Nigeria-Niger joint Commissions were established by Nigeria to exploit common resources for economic development. ECOWAS, an initiative led by Nigeria in 1975, was established to provide an institutional framework for managing relations with its West African neighbours as well as attempting to reduce their dependence on France.

Informal Economic Network and Regional integration in West Africa

In addition to the formal state-to-state relationships between Nigeria and its neighbour an analysis of the informal relationships, Nigeria's informal cross-border economic networks, provides dynamic insights to the regional dimensions of Nigeria's foreign policy. An assessment of the impact of Nigeria's informal economic networks and the opportunities they present for regional integration and the economic development of West Africa is imperative, based on Nigeria's role as the largest economy and home to the largest and the most sophisticated informal financial and trading networks.

Informal cross-border trade has tended to undermine productive investment and impeded effective regionalism in West Africa. Nigeria's dominant role in informal trade has weakened regionalism from all sides, rather than providing a hegemonic force for regionalism. Informal trade has intensified a rent-seeking rather than productive logic accumulation both within the state and in the private sector. This development has facilitated the withdrawal of popular forces into identity based patronage networks as alternative sources of access to income and social welfare collapse. This volatile situation has been further compounded by the continuing fiscal strangulation of the Nigerian state. Informal external and internal trade further starves the nation of revenue. It has made Nigeria to be increasingly less able to provide an alternative and more politically stable basis of social incorporation. For there to be a successful regional integrated, the capacity of the Nigerian state must be strengthened to enable it provide an effective framework to regulate economic interaction in the wider public interest at both national and regional levels.

Conflict and Hegemonic Co-operation

West African is one of the world's most unstable regions, being at the epicenter of many of the world's contemporary civil conflicts. Since independence, Nigeria has aspired to hegemonic leadership in Africa. This enduring aspiration to continental leadership is central to understanding some of the principal features of Nigeria's foreign policy. For example, Nigeria had to break its diplomatic relations with France in 1961 over the issue of nuclear testing in Sahara. Nigeria's membership of the Frontline States is as a result of the struggle against Rhodesia and apartheid South Africa. Nigerian-led interventions into Liberia and Sierra Leone in the 1990s lasted eleven years, and resulted in over 1,000 Nigerian fatalities and cost the Nigerian treasury billions of dollars. Nigeria has played leadership role in maintaining peace and security in the region. However, so long as Nigeria fails to deal with its domestic problems. It cannot be a credible intervener abroad. Nigeria needs domestic political stability as well as a sound economy if it is to fulfill its leadership ambition in the continent of Africa.

Multilateral Relations

Since independence, Nigeria has played full and active role in the international community. It has held itself as an unofficial spokesman for Africa and black people in the Diaspora. Any study of Nigeria's foreign policy will be incomplete without an examination of the ways in which Nigeria has pursued its foreign policy objectives through an extensive network of multilateral relations and the impact of external factors in Nigeria's foreign policy formulation.

Nigeria's diplomatic relations with the commonwealth, the European Union and the United Nations can be said to be mutually beneficial when viewed in the light of:

1. the extent to which the programs and objectives of these organization have met the objectives and purposes of Nigeria's foreign policy;
2. the prevailing domestic situation in Nigeria given the inherent asymmetry between the domestic situation and foreign policy projection and performance;
3. the prevailing global political environment

Nigeria-British Relations

Nigeria-British relations are far more multifarious operating at a number of levels and impacting upon the foreign policy of government in both countries rather than focusing on government –government relationships. The relations between Abuja and London have become a question of the relations of peoples as well as governments. This probably accounts for why there are well over a million Nigerians in Britain. The connection which exists between Nigeria and Britain has helped to define Nigeria's identity..

Nigeria-US Relations

Following the end of military rule in 1999, the United States reinvigorated diplomatic relations with Nigeria, stressing that its over-reaching national interest in Africa was to promote democracy. The US also stressed that Nigeria's successful transformation is key to anchoring the climate of peace and rapid development throughout Africa.⁷⁸ There was also an increase in economic assistance after the democratic transition in Nigeria. America's challenge in its policy towards Nigeria was to formulate a substantive bilateral partnership with Nigeria, the provider of 8% of America's oil needs.

Nigeria/Israel

Before 1960, there was economic cooperation in the areas of agriculture, cooperatives construction and water resources but 1990 witnessed an alarming withdrawal of foreign investment in spite of new economic diplomacy. In order to stimulate the national economy, there was restoration of diplomatic relations with Israel by the Babangida administration. This was in a bid to encourage American Jewish leaders in promoting investment in Nigeria.

⁷⁸ Ambassador Howard Jeter, Deputy Assistant Secretary for African Affairs, Testimony before the House International relations Committee's Subcommittee on Africa, 3 August, 1999

General Nwachukwu had this to say on his visit to Israel: “We know, for instance that you have the command of financial institutions of the world through your kith and kin in several industrialized and highly developed economies and we believe also that your influence can bring some meaningful investment to support such development programmes⁷⁹. Since Nigeria restored diplomatic relations with Israel both countries have exchanged economic delegations to their advantage.

Nigeria-France Relations

Political relations between Nigeria and Paris is characterized by distrust, hostility and conflict, with strong economic relations developing almost independently of the political context. The rationale for the political conflict is derived from Nigeria’s role as the Giant of Africa and the fact that Nigeria is a nation surrounded by former French Colonies.

Nigeria-Japan

Japan is the world’s second largest aid donor and has taken active interest in Africa over the years. In early times, Japan’s policy towards sub-Saharan Africa was that of non-involvement in Africa’s colonial history. Since the early 1990s, however, Japan reassessed its relations with Africa and appears to have decided to adopt a more pro-active approach towards the continent. The impact of domestic issues on Nigeria’s foreign relations can be seen in the way in which Japanese investment in Nigeria is constrained by inadequate infrastructure, corruption and unreliable institutional structure. While focusing 70% of its investment in South Africa, Japan is hesitant about investing in Nigeria.

Suggestions

Economic development and well-being of Nigeria should be the main stay of Nigeria’s foreign policy. In order words, Nigeria’s interest must come first in all her foreign policy analysis and decisions. According to Danjuma, “Right now we are becoming the United States of ECOWAS at very great cost to us. We think this is unaffordable to us now.⁸⁰

Our foreign policy does not reflect our cultural, economic, political, scientific and technical interest.⁸¹ Nigeria’s foreign policy and objectives must be reviewed, and the country’s vital national interest must be redefined.

The tone and style of Nigeria’s foreign policy is inconsistent and lacks direction. There has been no continuity in tone or style of Nigeria’s foreign policy. Each leader implements its own ideas. This makes it difficult to define the national interest of Nigeria. Even though the focus of Nigerian policy may remain the same, the tone and style of Nigeria’s foreign policy change with change in leadership. This ought not to be so.

The capitalist western countries are major players in the international system. If the future internal environment is to evolve in a dynamic fashion that will be of immense benefit to all Nigerians, new strategies must be adopted in Nigeria’s foreign policy that will not make Nigeria irrelevant or marginalized in the international system.

There is a correlation between strong performance in foreign policy and the cycle of affluence. There must be a continual re-evaluation of the goals and objectives of Nigeria’s foreign policy in the context of available resources for its prosecution. Policy makers must ensure that goals and objectives do not outstrip means and thus make them unachievable. The future of Nigeria’s foreign policy depends on how national resources are mobilized to provide a solid base for continuous stable economic growth.

Nigeria’s foreign policy should be built around core national interests based on the promotion of peace and security as well as development and decentralization both at home and abroad. The policy objectives of Nigeria must be translated into more specific national interests

⁷⁹ General Nwachukwu, *The Guardian* (Lagos) Aug. 6th 1991

⁸⁰ Retired General Danjuma, *Vanguard* – August 8. 1999

⁸¹ Okpokpo E. 1999: *The Challenges Facing Nigeria’s Foreign Policy in the Next Millenium* 3(2): 4 (on-Line) UR25 <http://web.africa.ufl.edu/esq/v.3/v3i3aib.htm>

and a programme of action designed to respond to changes in the external environment in a timely manner.

The domestic structure determines the amount of social effect which can be devoted to foreign policy. It is an axiomatic truth that the foreign policy of a country is to a large extent determined by its domestic structure. Various constituent elements in the political system operating within the domestic process provided by the constitution exert direct or indirect influence. There is a need for constant reorientation of foreign policies to reflect or accommodate domestic and external vicissitudes. Such orientation shift serves to render foreign policy innately malleable and pliable.

Nigerian Ministry of Foreign Affairs must be re-shaped and strengthened for it to be effective in executing its foreign policy. Nigerian diplomats must be better trained and its foreign missions i.e. the Ministry of Foreign Affairs must be better funded.

The fact that we are still struggling with calls for true federalism, sovereign national conference to renegotiate the very basis of the Nigerian federation is a demonstration of the fact that Nigerian polity remains fragile⁸².

Foreign policy makers and executors should not only respond to pressures from the external environment and challenges posed by globalization. They must also respond to domestic pressure and influence especially those from popular public opinion. Nigerian foreign policy makers have moved away from public opinion and parliament in favour of research institutions. Most times such research institutions are exclusive and narrow in approach. This is causing obstruction to a responsive and democratic foreign policy making process. Nigerian leaders have to nurture a culture of openness, consultation and consensus-building in the country's foreign policy making continuing to benefit from the views of experts.

Conclusion

Nigerian leaders of all political persuasions have come to see Nigeria as the natural leader of the continent of Africa being regarded as the giant of Africa. Nigeria's aspiration to continental leadership continues to manifest since independence. This aspiration is central to understanding some of the principal features of Nigeria's foreign policy.

This hegemonic ambition has not led to relevant, coherent and effective policies to serve the interest of national development. The tone and style of her foreign policy changes with succeeding regimes even though the substance of such policy remains the same, focusing on Africa as its centerpiece to the detriment of the nation. Obviously, Nigeria's foreign policy satisfies more of external interests (Africa in particular) rather than being responsive to internal needs and demands. Despite the population of this Nation, Nigeria has not come to grasp with the fact that to attain national development, Nigerian foreign policy should be made to emphasize the development of its human resources. Nigeria's foreign policy tends to neglect social and institutional correlates like education, health and employment for all. There is said to be economic development when there is not only a rise in per capital income with a greater population gaining access to schools, hospitals, communication needs, production techniques and improvement in the general quality of life.

Development is thus a qualitative change in structure with people all over as the centre of development. Investing in people, if rightly done provides the surest foundation for lasting national development. There is an urgent call for a realignment of Nigerian foreign policy which anchors on the development of its human resources in order to attain national development. Nigeria's foreign policy must incorporate capacity-building for an accelerated national development.

The past years have witnessed profound changes in international relations. The external determinant of foreign policy have undergone such a great transformation to the extent that foreign policy formulators are obliged to adjust to new realities. It is the responsibility of every country to make necessary adjustment to ensure its foreign policy is relevant and in tune with the realities of the present time.

⁸² The Domestic Context: Discordant Notes

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CULTURE, POVERTY AND MATERNAL MORTALITY IN NIGERIA

B.T. BADEJO

Introduction

The incidence of maternal mortality in Nigeria is reported as one of the highest in Africa. Out of every 100,000 woman of child bearing age, 1,500 die from complications related to pregnancy, about one woman every ten minutes (UNICEF, 2005). It went further that 65 percent of such women die of obstetric complications often caused by poor medical attention and antenatal care during pregnancy. While 10 percent die of anaemia due to iron deficiency.

The causes of these deaths are deeply related to the low socio-economic status of Nigerian women, poverty, ignorance, culture, poor road network, as well as access to health facilities. In addition, high maternal rate are associated with broader economic, social and political crises which has made health and health care a luxury rather than a fundamental right.

Culture and Maternal Mortality

According to the report of a National Baseline Survey of harmful traditional practices affecting women and girls in Nigeria is Harmful Delivery Practices (HDP). Harmful Delivery Practices refers to those practices which through ignorance and blind adherence to tradition make the task of childbearing a difficult experience and contribute to high maternal mortality rate. (WHO, 2005).

In most Nigeria societies, religious rituals which may not be favourable to mother and child determines the successful outcome of reproduction, these includes, circumcision during pregnancy and childbirth, hot baths, massaging of the womb, daily consumption of alcohol, sacrifices for fertility, vasectomy, incisions, incantation among others. Other practices include keeping the mother naked for hours after delivery, consumption of special concoction in form of reproductive diet.

Among the Igbos, resulting to prayers during difficult delivery is very rampant while in other places, strenuous exercise are recommended during labour which sometimes leads to exhaustion and major complications, the umbilical cord is sometimes cut with unsterilised instruments leading to infection.

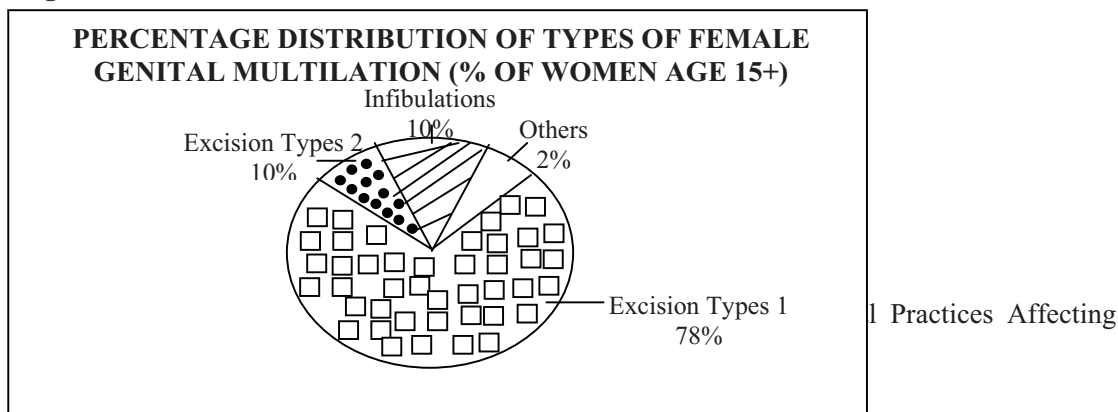
In some part in the Northern Nigeria, it is culturally forbidden for a woman in labour to be seen thereby risking the life of the mother in case of complicated delivery. There is also the issue of 'Wankun Jego' (hot bath) which is rampant in the North where newly delivered women are bath in very hot water prepared with herbs and made to sit over almost boiling water.

Furthermore, there is the incidence of Female Genital Mutilation. According to WHO (1999) statistics revealed that about 130 million girls and women are affected by female Genital Mutilation (FGM) and about 2 million cases every year are recorded. Female Genital Mutilation (FGM) is a cultural tradition performed to initiate a girl into womanhood; it is practiced in 28 African countries and among some group in Asia (WHO 2003). It includes circumcision, incision and infibulations. It is also carried out at a young age when there is no possibility of individual consent; it is thus a fundamental violation of human right. The platform of action adopted in Beijing Conference in 1995 called for eradication of FGM through enactment and enforcement of legislation against the perpetrators. Female Genital Mutilation is classified into three types, Type 1 which involves the removal of the Clitoris; in Nigeria this usually involves the excision of only part of the Clitoris. Type 2, involves the removal of the Clitoris along with partial or total excision of the labia minora. Type 3 known as 'infibulation' is the most severe of FGM, it involves the removal of the Clitoris, the labia minora and adjacent media part of the labia majora and the stitching of the vaginal opening leaving and opening the size of a pin head to allow for flow of urine and menstruation blood (WHO 1994).

The centre for Gender and Social Policy Studies of Obafemi Awolowo University on behalf of the United Nations (UNDP 1998) confirmed of FGM in Nigeria and with greater prevalence in the South especially the predominance of Type 1, which is carried out mainly in infancy.

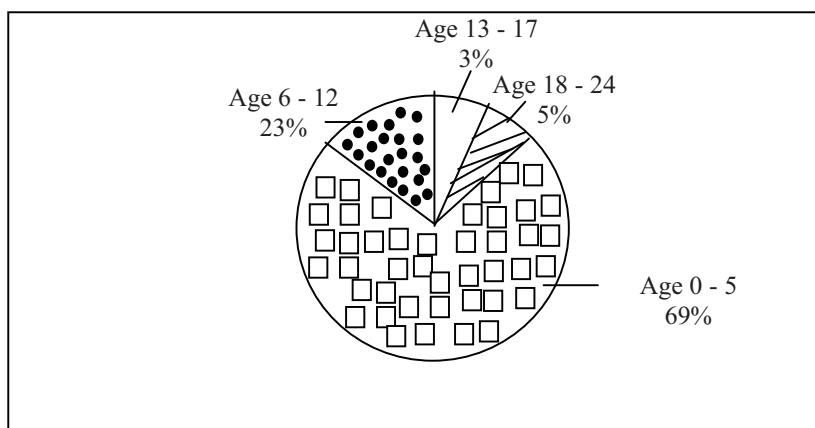
According to the harmful traditional practices (HTP) study WHO, UNICEF (1998), the national prevalence rate of FGM is 41 percent among 'adult women' well defined in women of age 15 and above, the report however shows decline in the prevalence by age groups from 48 percent for girls age 15 – 19, from the report, it shows that Female Genital Mutilation (FMG) is more common in the South than in the North, 77 percent among adult women in South-South, followed by South-East of 68 percent and South West of 65 percent. The lowest rate 4 percent was recorded in the North-East.

Figure 1



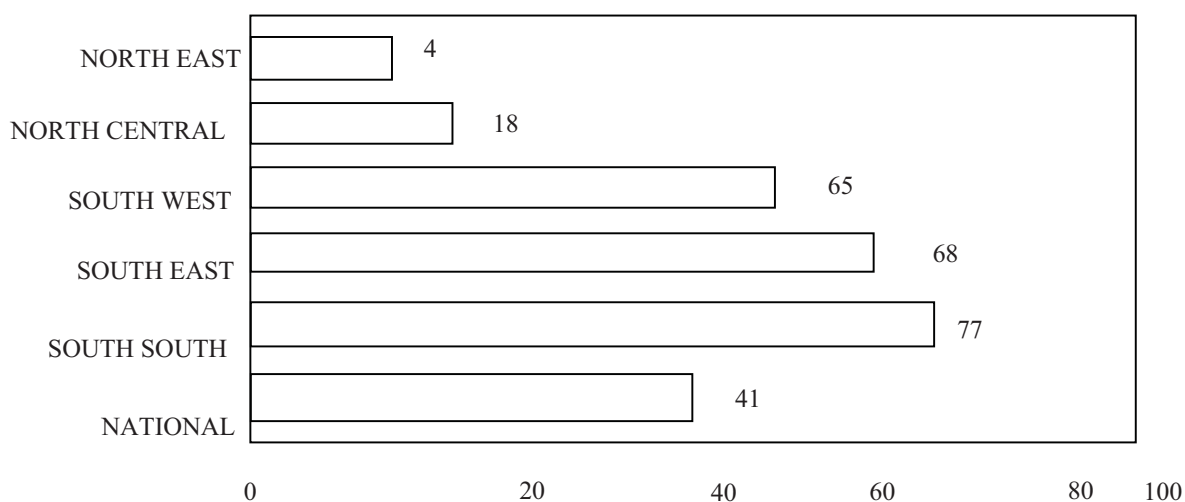
Source: National Baseline Survey on Positive and Harmful Traditional Practices Affecting Women in Nigeria.

Figure 2: Female Genital Mutilation: distribution by Age Groups



Source: National Baseline Survey on Positive and Harmful Traditional Practices Affecting Women in Nigeria.

Figure 3: Positive and Harmful Traditional Practices Affecting Women in Africa



Source: National Baseline Survey on Positive and Harmful Traditional Practices Affecting Women in Nigeria.

One would see that Female Genital Mutilation (FGM) is an extreme example of general subjugation of women, to the end, an international expression of the seal of equal right of women was made in December 1979 when the United Nations (UN) General Assembly adopted the convention on the elimination against women in September 1981. The convention call for equal right of all women regardless of their marital status, cultural or civil. Article 5(a) obliges signatory state to take:

“All appropriate measure to modify the social and cultural pattern of conduct of men and women with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or superiority of either of the sexes on stereotyped role of men and women”.

According to the United Nations Decade for Women 1975 – 1985, paragraph 45, “female circumcision and infibulations can lead to complication during pregnancy”. Article 19.1 of African Charter on the rights and welfare of the child “protect the child from all forms of mental and physical violence and maltreatment”.

Resistance to change is likely to come not only from the force of tradition but also from economic motives particularly on part of the circumcisers, who derive income from the practice, the drive to eliminate FGM should be backed up by legislative provisions. Since the restoration of civilian rule in May, 1999, there have been laws to outlaws FGM in States like Ogun, Edo, Delta, and Cross River. The eradication of FGM needs more urgent attention in the context of HIV/AIDS as the use of contaminated instruments in the operation could be a means of transmission since the operation is rampant in rural areas by practitioner of traditional medicines and traditional bath attendants using unsterile knives in unhygienic conditions which can be a major cause of gynaecological and psychological problems on the receiver.

Furthermore, more on the relationship between culture and maternal mortality rate is the prevalence of child marriage especially in the Northern part of Nigeria. The 1999 NDHS reported that 26.5 percent of couples have an age difference of 15 or more years between husband and wife. The 1999 census gave detailed breakdown of the ages at which females are married in Nigeria, it gave staggering information that 2 percent of Nigerian married women had entered into marriage by the age of 10 years.

By 12 years old, 8 percent were married, the proportion rise rapidly in the mid teens, 40 percent by the time they were age 18 and 64 percent by age 20.

Early marriage is harmful to girls in numerous ways, besides leading in many instances to withdrawal from school, it thrust upon them marital and reproductive responsibilities for which they are neither physically nor mentally mature to carry out. WHO (2005) indicated that 27 percent had given birth before the age of 18 years old and 8.5 percent before they were 15 year old, about 22 percent of teenagers age of 15 – 19 were either already mothers or pregnant with their first child.

Early pregnancy is one of the main reasons for much higher maternal mortality and greater prevalence of Vesico Virginal Fistula (VVF) in Northern Nigeria. Research in Zaria has found that maternal mortality among women younger than 16 is six times higher than for women age 20 – 24 (Zabin and Kirayo 1998).

Vesico Virginal Fistula, arises from obstructed and prolong labour, UNICEF (1996) confirmed that “as many as 80,000 women develop fistula (VVF) every year while between 500,000 to 1 million women are living with the problem” it went further, for every woman who dies due to pregnancy and childbirth, there are at least 30 other women who suffered maternal injury and morbidity.

Widowhood is another major cultural factor associated with maternal mortality in Nigeria, Discrimination against women is especially serious in the case of widowhood when women usually end up without inheritance right and find themselves subjected of harrowing widowhood rites. Owasonoye (2000) asserts that 45 percent of widows are confined indoors for varying lengths of time, 62 percent in South-South, 60 percent in North West, 51 percent in South West, 48 percent in North East and 27 percent in South East. As a result of growing international concern about harmful traditional practices affecting women and rights highlighted by the position taken at the Beijing Conference and in other international fora. There have been increasing legislation and NGO’s to eradicate the situation; such as the Better Life Programme for Rural Women (BLP), a national task force on VVF was set up in the 90’s in 1998, the Federal Ministry of Health began work with the support of WHO on the formulation of a National Policy and Plan of Action for the elimination of FGM mostly focused on advocacy and sensitization.

In addition, the relationship between female education and safe motherhood cannot be under emphasized; there is strong correlation between female education and use of health facilities both for ante-natal care and delivery services. WHO (2005) asserts that over 54 percent of women without education had no record of antenatal care, only 13 percent of women with no education deliver in health facilities. The educational factors are intertwined with issues of culture and gender, the low level of female education in most cases are outcomes of gender disparity based on cultural attitude which give less priority to education girls than boys.

Education has an impact on survival both as a direct determinant of behaviour and indirectly as it affects cultural attitudes and gender relations. The higher a woman’s level of education, the more likely it is that she will marry later, play a greater role in decision making and exercise her reproductive right. Women education has been found to be a key factor in reducing infant child mortality.

Poverty and Maternal Mortality

Worldwide, poverty has increased by 47 percent among rural women over the past twenty years compared with 30 percent among men. This trend reflects the fact “that rural women often lack access to resources and it is a reminder that much of their work is unpaid labour which is directed towards the support and survival of their families” (Badejo 1999). The 2005 Human Development Report (HDR) stated that 70 percent of world’s poor people are women. In Nigeria, the 2006 population census estimates that out of the 31 million rural women in the country, 16 million live below the nationally defined poverty line lacking access to basic education, decent nutrition, adequate health and social security.

Soyombo (1997) is of the opinion that “Poverty arises when the income of an individual or family is insufficient to provide for the basic needs required for physical efficiency”. Sen (1999) identified starvation and hunger as indications of poverty, absolute poverty according to Sen is the ‘lack of some basic opportunities of material well-being and failure to have minimum capabilities.

In Nigeria, cultural and religious attitude have resorted in discriminatory laws and practices beginning from birth which prevent women from becoming full and equal partners in their nation's societies and environment economies, the result is their women represent the majority of the poor although discrimination varies from one culture to the other.

Poverty and reproductive health in area of maternal mortality cannot be divorced "in Nigeria poor health especially malnutrition generally exist among females than males of the same age group. Chestrad (1999)". The world Health Organization WHO (1990) shows that out of all women in Africa two third of pregnant women are anaemic. Food in many household is inadequate both in quantity and nutritional value; malnutrition impairs physical development and the ability of women to bear healthy children, also increases susceptibility to illness and complication in pregnancy. Surprisingly, these mal-nourished women have a high fertility rate which adds more to their impoverishment. This is probably the reason why the United Nations Development Programme (UNDP) embarked on a programme aimed at reducing poverty especially in the rural areas not only in Nigeria but also in other countries in Africa. The programme emphasizes on poverty reduction and focus on mobilization and empowerment of women. The foundation of the approach is "Mass Literacy Programme" designed especially to benefit the rural women on which the 'Women in Development (WID) programme is anchored. Women's role in social development was brought into focus when the United Nations declared 1995 as the year of woman and member countries were asked to improve the plight of women.

It should be noted that the major obstacles to Nigeria development cannot be overcome without full participation of women. In any society which is seriously committed to raising its level of living need to consider women not only as marginal to development but as an essential human resources. Women education and training programme when integrated with basic health services expand economic opportunities and enforce rights that are crucial to eradication of poverty, as female literacy goes up, birth rate goes down and child and maternal mortality rate reduces; "education broadens opportunities to earn income outside the home and thus pursue other options other than child bearing" World Bank (1993).

Reduction in maternal mortality is one of the cardinal points of Primary Health Care, the international conference on Primary Health meeting in Alma-Ata in 1978 express the need for urgent actions by all governments, all health development workers and the world community to protect and promote the health of all the people of the world hereby make the following declaration;

"the existing gross inequality in the health status of the people particularly between developed and developing countries as well as within countries is politically, socially, economically unacceptable and is therefore a common concern to all countries" that all governments of member countries should formulate policies, strategies and plans to launch and sustain PHC as part of a comprehensive national health system and in coordination with other sectors. Alma-Ata Declaration (1978).

The Safe Motherhood Initiative (SMI) began in Nairobi in 1987 as one of the strategies towards reduction in maternal mortality, Africa is one of the leading regions in the world in terms of activities of the Safe Motherhood Initiative, it has prevention of maternal mortality network which began in 1988 with eleven teams from Nigeria, Ghana, Sierra-Leone and coordinating team from Columbia University under the leadership of Prof. Lucas Adetokunbo Maine (2002).

WHO (1998) stresses that "enhancing female education is seen as an effective way for developing countries to help improve women's status, lower fertility rate, foster economic development, reduce poverty and improve maternal and child health.

Family planning as an instrument towards reduction in maternal and child mortality is known by vast majority of people but studies have uncovered a number of reasons why women do not use contraceptives even when they prefer to avoid pregnancy.

Oyejide (1994) reported that many women fear the side effect of contraceptive methods; other women are discouraged by their husbands and for religious reasons. There have been supports from government and non-governmental agencies towards popularizing the use of contraceptive through reduced price and donations so as to serve the low income population. There is also support from World Bank, United Nations and other multilateral institutions. The

United Nations estimates that the use of contraceptives users will increase by more than forty percent (40%) from 525 million to 742 million between 2000 and 2015 (UNPFA 2000) “given the covered level of aid, supplies may keep on growing with needs”.

Table 1– Shows Maternal Mortality Rate of Women who die as a Result of Complication of Pregnancy per 100,000 Live Births.

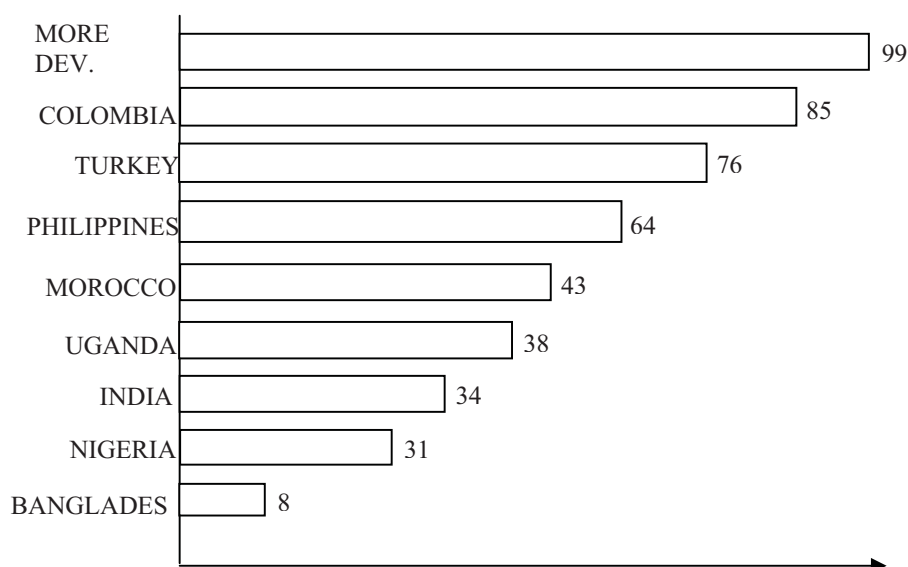
COUNTRY	UNDER 5MR/1000 LIVE BIRTH	MMR/100,000 LIVE BIRTH
BRITAIN	7	9
NIGERIA	191	1000
CAMEROON	109	700
GHANA	91	740

Source: WHO, 2005.

The data shows that Nigeria is not doing well not only in comparison with developed country such as Britain but also compared with other African countries. It shows that health care system in Nigeria is in crisis with:

- (a) Shortage of drugs.
- (b) Broken down equipments
- (c) Irregular supply of water
- (d) Frequent electrical blackout and
- (e) Low morale among professionals and other staff.

Figure 4– shows Birth Attendants by Trained Health Personnel, Selected countries 1990 – 2002.



Source: UNICEF: *State of the World Children* 2005.

However, non-governmental organizations in Nigeria have taken up the challenge such as ‘Women in Nigeria’ (WIN) ‘Women Health Organization of Nigeria’ (WHON) are working in the area of reproductive health project in Zaria and had a major component on the role of Traditional Birth Attendants (TBAs) in the prevention of maternal mortality, several workshops were held all over the country and was focused on information sharing, learning and how to recognize delivery complications for referral.

Conclusion

In this paper, culture and poverty has been identified as major causes of maternal mortality in Nigeria, issues such as early marriage, Female Genital Mutilation, Vesico Virginal Fistula, lack of education, ignorance, poverty were brought into focus. The roles of government, non-governmental organization, and international bodies were highlighted as contributors and participants toward reduction in maternal mortality rate in Nigeria. It is thus observed that investing in women education, reductions in poverty levels are keys towards having healthy human being above poverty level, this will change the consciousness of women in health related matters and brings about reduction in maternal mortality rate.

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