

# Civil Perspectives

...Empowering Civil Society for Sustainable Development

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## LOCAL GOVERNMENT ADMINISTRATION INCREASING LGs FINANCIAL AND ADMINISTRATIVE AUTONOMY

### Introduction

Federal Republic of Nigeria constitution section 7 (1) guaranteed a democratically elected government administration.

States governments 'subject to section 8 of this Constitution, ensure their existence under a Law which provides for the establishment, structure, composition, finance and functions' .

This requirement to set up council administration has been complied with by the State governments including Anambra State.



The States have made laws setting up LG administration; aside the first election that heralded the return of local government after a long military interregnum, not much has happened to sustain democratic transitions of elective offices at local government level.

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## THE CONSTITUTION HAS THROWN A SPANNER IN THE WORKS

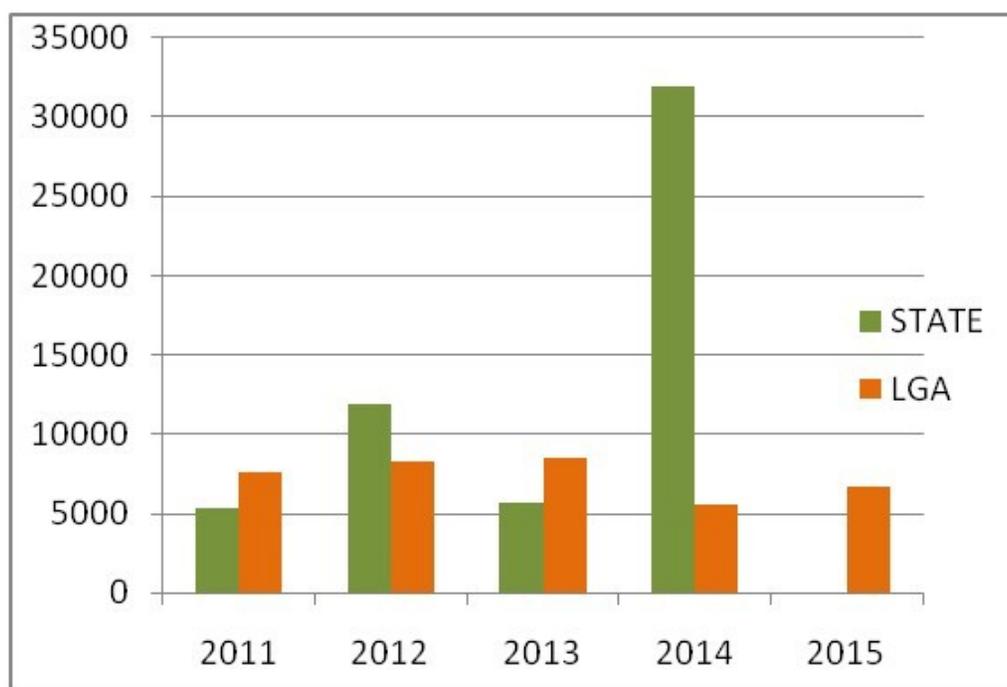
- The federal government has no business creating local government for States and by doing so engendered suspicion in the relationship of the States and local governments.
- Looking at the provisions of our constitution, can we say we delegated administration or devolution of powers or a balanced mix of any?
- What is happening in practice is less than a delegation of duties but over subordination of LGs.
- There is a big challenge in transfer and management of local government funds.
- Collaboration in management of projects has not been a win-win situation for elected council members who have no stories to tell for being in offices.
- The constitution in these regards failed to achieve a balance between devolution and de-concentration that supports effective service delivery in local areas or cooperative federalism it may have set out to achieve.

### ANAMBRA STATE AND LOCAL GOVERNMENT MANPOWER COMPARED

YR	STATE	LGA
2011	5337	8603
2012	11825	8273
2013	5677	8455
2014	31933	5505
2015	NA	6657

Source: Compiled from Anambra State Bureau of statistics publication

### ANAMBRA STATE AND LOCAL GOVERNMENT MANPOWER COMPARED



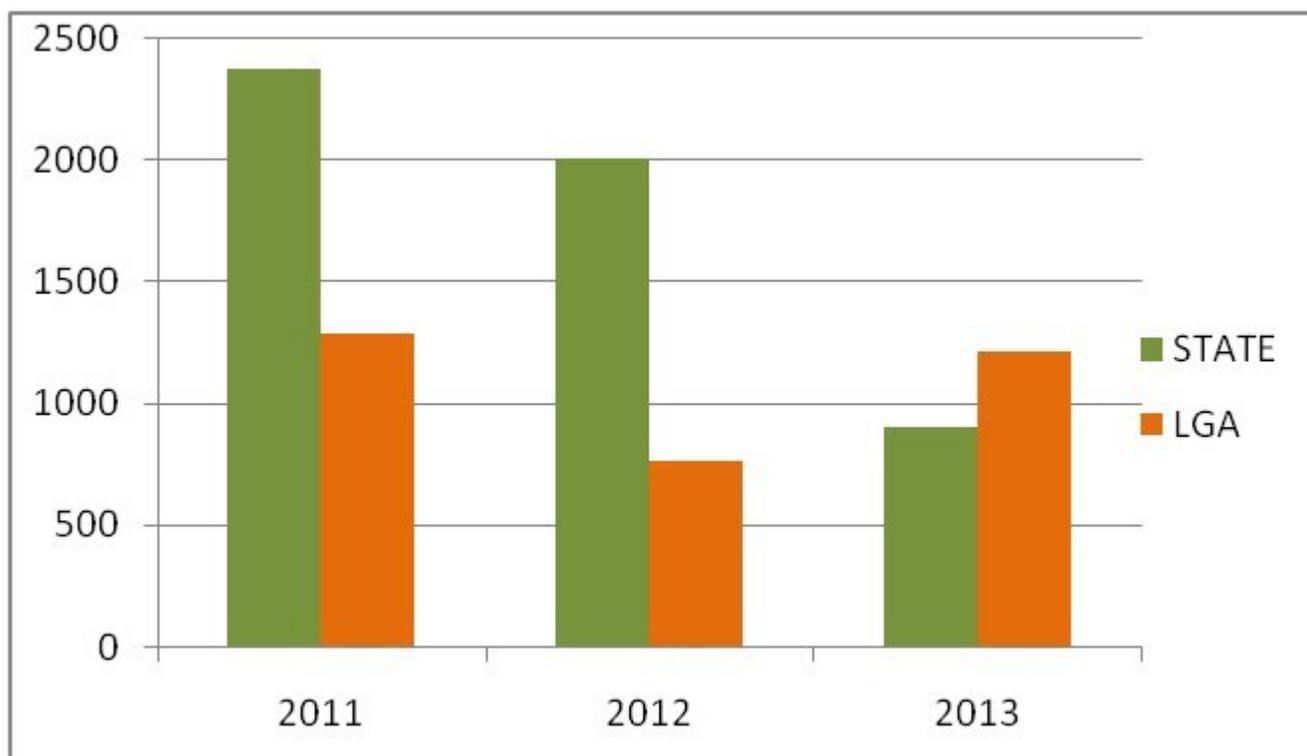
Suffice it to say that the staff in the two levels of government went to the same schools and made similar grades. Non utilization of staff has created a huge gap in competence levels. It equally breeds a sense of frustration that makes public sector workers to work against the system they belong. These feeling could be noted in many ways such as asset stripping, failed processes in service delivery, truancy and delinquency in work attendance and ethics among others.

**SENIOR STAFF OF STATE AND LOCAL GOVTS THAT OBTAINED UNIVERSITY EDUCATION COMPARED**

YR	STATE	LGAs
2011	3260	1765
2012	9097	4886
2013	3918	2326
2014	27455	1614
2015	0	2301

Source: Compiled from Anambra State Bureau of statistics publication

**SENIOR STAFF OF STATE AND LOCAL GOVTS THAT OBTAINED UNIVERSITY EDUCATION COMPARED**

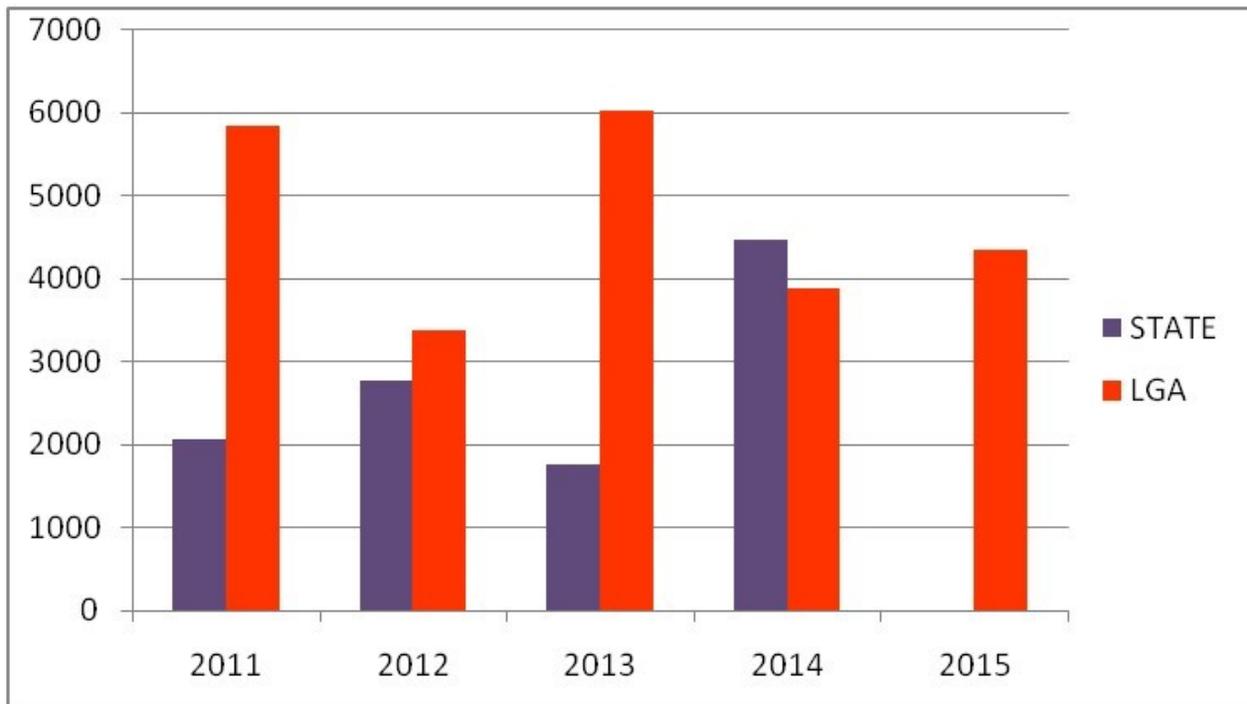


### JUNIOR STAFF STRENGTH OF STATE AND LGAs COMPARED

YR	STATE	LGAs
2011	2067	5855
2012	2767	3387
2013	1759	6029
2014	4478	3891
2015	0	4356

Source: Compiled from Anambra State Bureau of statistics publication

### JUNIOR STAFF STRENGTH OF STATE AND LGAs COMPARED



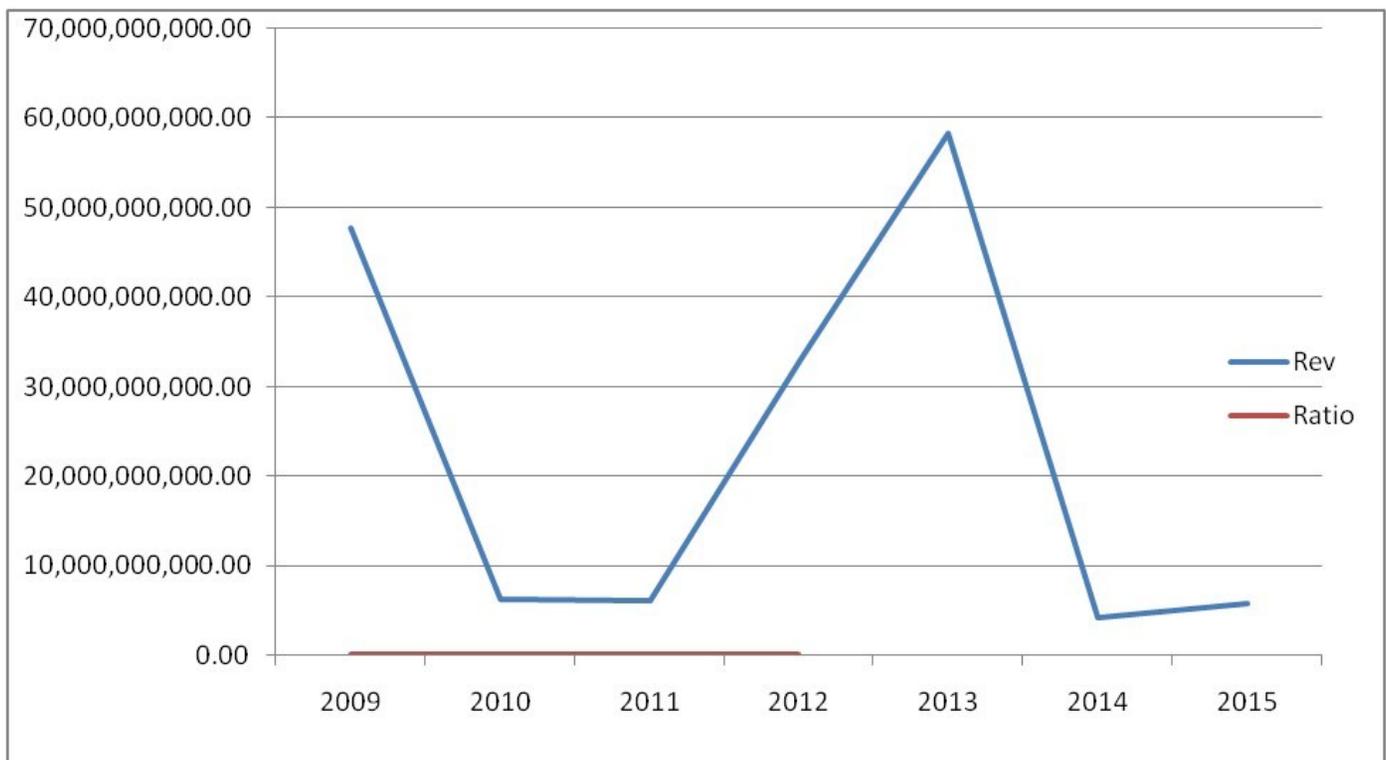
- The large number of staff in the local government system and their capacity to deliver services at grassroots puts the State government to task, considering the level of wasting human resources at that level of government.
- Where the local government staff lack capacity, this could be enhanced to enable them deliver effective services at grassroots.

### LG REVENUE PROFILE FROM 2009 TO 2015

YEAR	L.G. REVENUE
2009	47,708,022,405.27
2010	6,240,363,208.09
2011	6,136,034,964.47
2012	32,915,549,224.94
2013	58,336,386,165.42
2014	4,225,181,795

Source: Compiled from Anambra State Bureau of statistics publication

### LG REVENUE PROFILE FOR 2009 TO 2015



We can see from the above that there are huge financial resources at the local government level for service delivery.

### Section 162 (6), 162 (7) and 162 (8) "State Joint Local Government Account"

- 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 Councils of the State from the Federation Account and from the Government of the State.
- 7) Each State shall pay to Local Government Councils in its area of jurisdiction such proportion of its total revenue on such terms and in such manner as may be prescribed by the National Assembly; Anambra State LG law provided through sections 12 and 15 a fulfillment of the constitutional provisions of the Federal Republic of Nigeria.
- 8) By the provisions of the sections, the amount standing to the credit of 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. The State local government law made the above provisions.
- We believe the provisions aimed at encouraging cooperative federalism and grassroots development.
- The above fact is buttressed by the provisions of section 7(3) that 'it shall be the duty of a local government council within the State to participate in economic planning and development of the area referred to in subsection (2) of section 7 and to this end an 'economic planning board shall be established by a Law enacted by the House of Assembly of the State for planning boards' where the State and local governments collaborate in planning for development of the State and local governments.
- After setting up all the structures and providing for the rules and laws as stipulated by the Constitutions for an effective local government administration, the workings of the systems we have on ground are different from the intent of law as the LGs remain subdued.

### STATES' HOUSE OF ASSEMBLIES VOTED ON LG AUTONOMY IN 2015

Result – of the 36 States in the country, 23 States voted AGAINST LG autonomy while 13 voted in FAVOUR

#### **The roll call of States which voted AGAINST local government autonomy**

- South-West - Ondo, Ekiti and Osun;
- South-South— Rivers, Cross River, Bayelsa, Delta, Edo, Akwa Ibom.
- South-East - Enugu and Imo states.
- North-East— Borno, Yobe, Taraba, Bauchi and Gombe;
- North-West—Kaduna, Kano, Katsina, Kebbi, Sokoto and Zamfara states.

#### **States that voted YES for local government autonomy**

- South west - Lagos, Oyo, Ogun,
- **South east - Ebonyi, Abia, Anambra.**
- Northern State - Adamawa, Plateau, Niger, Kogi, Benue, Nasarawa and Kwara states.

The roll call is a clear indication that the House of Assemblies overwhelmingly did not support local government autonomy as 23 voted against and 13 in favour of autonomy for the local administration.

Anambra State has established a tradition to support LG autonomy; it is thus imperative for the House of Assembly to vote yes to LG autonomy in circumstances we face, **WE PLEAD WITH THE STATE HOUSE OF ASSEMBLY NOT TO BREAK THIS RECORD SET IN 2015 AND SUPPORT LOCAL GOVERNMENT AUTONOMY.**

## RESULT OF THE ANOMALY IN THE CONSTITUTION

States disobeyed the constitution, disobeyed the laws made by them, making a token of them at the expense of effective service delivery in communities.

- States such as Ekiti dissolved their local governments, sacking the chairmen and their councils 'after spending about 22 months in office as the elected chairmen of their respective councils, this was done by the State governor immediately after he was sworn in as the Ekiti State Governor. He ordered the dissolution of all the 16 local government councils in the State. At the twilight of his administration he attempted to conduct elections into the local government offices but was stopped by the opposition party through the court. <http://www.vanguardngr.com/2010/10/fayemi-dissolves-ekiti-lg-councils/>.
- This type of stage managed process took place in Anambra State, at the exit of a Governor's tenure. He successfully laundered a local government election.
- In Imo State, the Court of Appeal in Owerri, ruled that the Governor should immediately recall the local government chairmen that were sacked and their executives. The sacked local government council executives were elected for three-year tenure. This court order was not obeyed by the State government. <https://www.nairaland.com/1015764/gov-okorocho-sacks-27-local>
- Despite these court interventions, the governors displayed attitudes which affirmed their position, that the federal government has no right to interfere in the creation, form or shape of local administrations in a federal system.

## CAN WE AGREE WITH STATES NOW ON LG SITUATION

- States have their point but when we consider that the level of financial and manpower resources at the disposal of LGs which have remained moribund and wasting; the question is whether it should remain in that manner?
- In spite of the rot the local government system is often accused of, we still appreciate the advantages of having a functional local government administration and the advantages include -
  - I. It provides the people opportunity to dream their own dreams about development and test the ideas using their own resources.
  - II. It serves as a training ground for young politicians, professionals and administrators that could be recruited for bigger national assignments.
  - III. It serves as a vehicle for aggregating the interest of local people on development matters and also a channel for mediating and communicating these to other levels of government.
  - IV. It reduces tyranny in government administration and politics as power is not over concentrated at any level of government.
  - V. It promotes training of local people as active citizens as they learn to hold local governments to account on its work and they can transfer this behaviour to other levels of government.
  - VI. The activities of local government would provide jobs for people living in the communities.

## CONCLUSION

- VOTE LG AUTONOMY TO SPREAD DEVELOPMENT IN ALL COMMUNITIES AND IMPROVE QUALITY OF HUMAN LIVES

Thanks for your time

# *Getting Acquainted With* CRC



## **ABOUT CRC**

Civil Rights Concern (CRC) is a nongovernmental organisation incorporated in the year 2000 by the Corporate Affairs Commission Abuja under part C of the Company and Allied Matters Act, Laws of the Federal Republic of Nigeria no. 12, 776

CRC was designed to carry out human rights education as an empowerment process to improve the processes of our democracy, speak out against degradation of human rights and dignity. CRC in this respect, developed planks of engagement to meet the needs of rights holders and engaging duty bearers to accept responsibilities to their obligations; this forms the core of CRC interventions and organisational objectives. It directs attention to yawning gaps in policy making and implementation and the denied rights to public services that facilitates realisation of human dreams to development; these denied access combined to dim the lights in the heart of youths, the ordinary man and woman in pursuit of legitimate livelihoods and hope for the elderly.

**Vision:** Civil Rights Concern thus envisions a country where human rights are respected in all management processes in public governance, private sector and civil society organisations to sustain good living standards for our citizens.

**Mission:** Our concern is to empower the masses of the country that are the major variables in any democratic process, to be able to realise desired human development in a sustainable environment and determine the kind of leadership that would protect and serve their interest.

## **Policy objectives and strategy**

Our citizens have stakes to protect in the process and outcomes of public policy. There are constitutional provisions and derivatives arguments that empower citizens' intervention in the policy process. CRC engages in those processes that not only empower our citizens and civil society but make them proactive rights holders in public and community governance to improve their livelihoods in a sustainable manner and enhance respect for human rights and dignity.

In this frame of mind, CRC implements its programmes to disentangle complications that arise during elections whereby communities are deceived to aid and abate election frauds and compromise implementation of budgetary programmes, putting many lives into serious jeopardy.

**Goal:** To improve participation in governance and increase access to sustainable means of livelihood and good health

## **Objectives:**

- To promote democratic governance and responsive leadership;
- To promote programmes of poverty alleviation, opportunities for self-reliance, social obligations among civil society organisations; and
- To sensitize society on gender issues, HIV/AIDS, reproductive health and environmental rights

## **Thematic focus**

CRC is working on issues that promote accountability and access to Basic Social Services (BSS) in sectors of

- Elections and electoral process;
- Education;
- Agriculture;
- Infrastructure; and
- Health and environment

in collaboration with other partners and networks. Implementation of these programmes is weaved into budgetary rights to realise access, education and desired human development that is itself a human right, while gender, HIV/AIDS and rights to reproductive health are streamed into all programmes.

**Primary targets:** policy makers and civil society, community organisations, women organizations/children and youths.

**Key strategies:**

Strengthen community network as proactive agents;  
Build bridges of relationship between policy makers and civil society around sectors of socio-economy and human livelihoods;  
Information sharing and  
Celebration of successful interventions to stimulate local engagements.

**Networking:** CRC has collaborations with many groups and networks some of which include

- West African Network on Peace building and Women Peace network
- Transition Monitoring Group (TMG)
- Civil Society Coalition Against HIV/AIDS Nigeria,
- Civil Society Coalition on Transparency, Accountability, and Good governance, (COTAGG) Anambra state
- Coalition of Civil Society organizations for poverty Eradication (CISCOPE)
- Electoral Reform network, a coalition working towards the reform of Nigeria's electoral laws
- Citizens Forum for Constitutional Reform, a body working towards the reform of Nigeria's constitution
- CiSHAN, a coalition that works on the HIV/AIDS related matters.
- Civil Society group Working on Malaria - ACOMIN
- Coalition of Eastern Non-Governmental Organisations (CENGOS)
- Civil Society Coalition on Cancer – CiSCANEN
- Civil Society Action Coalition on Education for All (CSACEFA)
- Coalition of civil society organisations working on elimination of corruption – ANCOR
- Anambra state Women Network (AN-WON)

Blog : <https://crchub.blogspot.com/p/brief-profile-of-civil-rights-concern.html>

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