Local Government Structures in Contemporary Democratic Settings: A Comparative Study of Nigeria, Ghana and South Africa

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Abstract

The paper interrogates local government structures in a contemporary democratic setting; a comparative study of Nigeria, Ghana and South Africa. The objectives of the paper is to review the administration of local government, present an incisive history of the countries under stud, its political system, the societies, organization under study. The comparisons help societies, individuals to change, improve and advance in their areas of weakness. The comparative study has been used as its theoretical framework. The methodology used is the historical descriptive method where the secondary sources are relied upon. The work found out that the knowledge of the structures informs whether or not its institutions will be functional in this tier of governance. The work recommends effective autonomy in other to enhance its functionality and impact the citizens at the grassroot.

Introduction

Much of the debate and perhaps the policy choice regarding African local government have been structured by technology first developed by James Fesler in 1950s. Fesler argued that it was important to distinguish between devolution and decentralization in analyzing local government. One intractable problem the administration of most countries of the world have faced in the history if local government has been the quest to seek an ideal and acceptable structure, functions and responsibilities that will make the local government responsive to the

yearnings and aspirations of the people at the grassroots. This is why many reforms and re-organizations have been attempted by these various countries to fashion out ideal and acceptable local government structure.

The structure of local government worldwide could provide for either all-purpose single-tier or multi-tier local government. All-purpose single-tier local government structure takes full responsibility for all functions and powers which the law assigns under the country's Constitution (Orewa 1999; 38) whereas multi-tier local government structure implies where two or more local government units share responsibilities in the provision of a wide range of services to the people.

This paper compares contemporary structural experiences in the system of local government in Nigeria, Ghana and South Africa.

The first section of this paper discusses the structure of local government all-purpose single-tier or multi-tier local government. Section two deals with the evolution of local government structure past and present while section three presents the problem of structure relation to local government. Comparative analysis is discussed in section four and concludes with the recommendations.

What factors are required for viable, democratic local governments in Africa? This is an important question for several reasons. First, in an era of continuing economic problems and structural adjustment, national government have been forced to reduce the services they provide. While the private sector may pick-up some of these, collective and non-profit-earning social goods must be delivered or funded by sub-national governmental units if they are to be provided at all (World Bank 1994). Second, research over the last two decades have suggested that highly centralized and top-down service delivery is expensive, cumbersome, inflexible, adapts slowly to new information and is prone to political abuse (Esman, 1991). Thirdly, government collapse and incapacity with spontaneous patterns of local initiative in education sanitation and marketing suggest there is an untapped local capacity to make collective choices and take collective action (Green, 1995; Wunsch and Olowu, 1990; Fass and Desloovere 1995).
Finally, it is obvious that democracy must be rooted in functioning local, participatory self-governance institutions. Despite these compelling reasons, most

experiments in decentralization and local democratic governance suggests that African local democracy and government have been tried (Olowu, 1995). Research have suggested that these problems are rooted in specific policy choices and strategies pursued by African governments. These policies includes deliberate withholding of resources, whether fiscal or judicial (Mutahaba, 1989), from local entities for political or ideological reasons; central bureaucratic hostility and weakness (Smoke, 1994) turbulent economic and policy environments which have under-cut local institutions (Ayee 1997). Absence of complimentary reforms needed in national administrative law and systems and underdeveloped local society that left local governments "rudderless" as they tried to develop policy and deliver services (Olowu and Wunsch, 1996).

This paper is an effort to arrive at the preconditions for efficient and effective local institutions of collective choice and of self-delivery is a comparative analysis of local government's context of current political reforms in South Africa.

Conceptual Clarification

Deconcentratiion and Devolution in African Context

Devolution refers to the distribution or redistribution of authority to make decisions and to take actions by local government independently of central administrative oversight (Fesler 1949). Central government might retain overall legal control (equal protection under the laws, voting eligibility, allocating authority to raise revenue, ensuring general law and order and regulating fraud and corruption) and authority to alter local government powers. Within those boundaries, devolution exists if local entities have substantial authority to hire, fire, tax contract experiment, plan, set priorities, and delivers the services they chose.

Deconcentration in contrast occurs when local entities act largely as the local agent of central governments, manage personnel, and expend resources allocated to them by central government authorities. These terms have since been reviewed, updated and applied (Cohen and Petrson 1996).

Debate and discussions about effective local governance in Africa since independence has often winged on these as alternative strategies. For example, the

operating policies of most African states have reflected a bias towards Deconcentration. Ghana, South Africa, Zambia and others have severally trumpeted "Deconcentration" revolution. Overtime, however, it became clear that these were really only modern policies of Deconcentration. Scholars in contrast, have argued that real improvement in local government performance, for example, efficiency, energy, effectiveness and local participation, could only be expected when devolution was pursued (Wunsch and Olowu, 1990).

Recently, a third factor has also been found to be important for effective local governance, a viable local political process. Wunsch and Olowu (1990) For example found that substantial decentralization effort in Nigeria during 1980s and early 1990s were weakened by the absence of a viable local political process to convey information to the public about government decisions to organize public to be attentive to government and to hold local officials accountable for their performance. The absence of local publics and a chose linkage between officials and citizens appear to explain many problems found in local government performance in Nigeria.

In fact, if one considers the arguments implied by all three strategies, they can be seen as complimentary aspects of a single model rather than as independent or mutually exclusive. For example, advocated of Deconcentration emphasize the fiscal, skill, and personnel poverty of localities and their need for central resources to function. They also emphasize the problem of providing effective direction for local administrators. Advocated of devolution emphasize that the residents of local governments will be unlikely to participate, invest attention and resources, or learn many of the lessons of governments can make real decisions with effective consequences.

The same applies to local officials as well, who unlikely to invest extra attention and energy in local affairs and programmes unless they are accountable to localities rather than the center. In fact, the structure of local government in a diagnostic statement on the problems of local government in Nigeria be similar to the statement made on the same issue before the 1976 nationwide reform of local government was introduced (Bello-Imam 1983; 43). The catalogue of problem have remained those of inadequate financial and other resources, frequent transfer of

functions to and from local government, lack of autonomy definable in terms of excessive control exercised by both central and state governments and inadequate involvement of the community in decision making. Underlining most of these problems have been the nature of structural change at this level of government. Consequently, the pattern of structural evolution has tended to devalue the relation between stable structure on the one hand, and efficient discharge of functions and local democracy on the other. Over the years, the complexity of problems associated with the structural evolution of local government in Nigeria have greatly undermined the optional functioning of local government constrained the performance of local political leadership, and have had adverse consequences for local development and democratisation.

The Development of Local Government Structure in Nigeria

Past

Local government as it is known today is different from the forms of local administration that existed both before and during the colonial periods on Nigeria. "Government" as a concept is indeed a very strong and modern label to attach what were at best traditional or local administrations. As political sub-divisions, three entities were after amalgamation in 1914, constitutive of the overall structure. Before colonialism, there was already in existence in various parts of the country, some form of local administration with various formal political institutions which made use of the Emirs, council of Elders, Obas, Chiefs in the North, West and East of what turned out to be Nigeria as the case may be. It was upon this basis that indirect rule was developed as a British administrative policy. Three political institutions were structure diverse. The cultural diversity became an obstacle including the lack of long range in democratization and development. The Richards constitution which initiated regionalization of the country and brought the whole structure of native authority (administration) (NA) under critical review leading to a transition to local government. The muddling through system of local administration continued from 1950 to 1960 since local government became a regional affair, designing its own administrative structure; it was specific in character and had different approaches to problems. For the colonial government, local government was regarded essentially as agents of central government in the periphery with the district officer serving as the field agent of central administration.

The Dasuki report noted that the problem inherent in the 1976 local government reform was more of operational lapses than structural deficiency arising directly from the behaviour of operators of the system. It therefore recommended that the multi-purpose single tier structure of the 301 local governments was adequate.
The recommendation included the following;

- A minimum population of between 100,000 and 150,000
- A minimum tax-paying population of 20,000
- Geographical contiguity
- Traditional association and wishes of the community in the area
- Financial viability of the area in question; and
- Administrative convenience.

Structures refer to those arrangements within the system, which performs the functions. Almond and Powell (1966) refer to structure as the observable activities which make up political system. That is, activities within the political system constitute structures to the extent that there is some form of regularity in them.
The tenet of structural functionalism rests on four main assumptions (Das and Choudhury, 1997; 39);

i. All systems have structures that can be identified the elements of three structure perform functions within the system, which have meaning only in terms of the system they are dependent on the system as an active entity for their existence. They are also dependent on each other for their activity.
ii. The society is a single interconnected system with each element performing a specific function.
iii. The different parts of society are interrelated and tensions are resolved with mutual help.
iv. The broad aims of principles underlying a social structure can be identified.

For Apter (1965), the political system also has three kinds of structure;

a. Structure of Authoritative decision making
b. Structure of accountability
c. Contingent Structure and Sub-structures.

The Dasuki committee also recommended new management structure for the local government councils under which the affairs of the councils would be conducted by a management committee made up of people of proven integrity.

At Present

Local government in Nigeria is one that began with the Babangida administration which came to power in 1985 with the replacement of sole administrators system with a five-person committee where one was to be a woman. There were calls on examination of the structures, functions and responsibilities of the local government because its development process was minimal. Clearly, much of the concepts by the political bureau of local government is the basic structural unit of the administration and development of Nigeria drew from the experience of older federation such as the USA, Canada and Australia.

Evidently, because of the new needs of local democracy and grassroot socio-economic development of the difference between the states and local government was still definably super-ordinate. There after the emergence of the elected local government chairman and councilors since March 1988, the government adapted some comprehensive and well defined measures aimed reforming the structures, finance and administration of local government to make them viable and effective centers of development. Evidently, the number of local government units increased from 301 in 1976 to 449 in 1989; 589 in 1991 to 776 in 1996 was based on the single criterion of federal constituency and others on population.

The Structure of Local Government

Single-tier System

All Purpose single-tier or multi-tier local government communities in the rural areas which are centralized in nature, that is, society with homogenous cultural groups extending over fairly large territories where these people recognize themselves as members of the same communities can be used as units of local government. This refers to an area equivalent to the division as we have used in Nigeria in the recent past. Districts and county may also be considered equivalent. A single-tier can be established for such areas as they possess the potential for taking on successful major local government functions such as ownership and operation of light industries. Small and medium urban centers can also be

constituted in single tiers if they are large enough to meet the requirement of areas as well as the implied population.

Multi-tier System

In rural areas of the non-centralized type and in large cities like Lagos in Nigeria, Johannesburg in South Africa and Accra in Ghana, the viability question suggests that there must be a core unit around which we can easily find a convergence of the various factors which foster development and effective administration. It suggests that the need to setup a tier higher than the core unit for the handling of services which are too expensive for the core unit to manage by themselves but which they are prepared to finance in collaboration with other core units. One should be remarked that a three-tier system should be avoided as much as possible. For in this kind of system, the system unit often inconsequential functions and the highest tier made too large and practically unmanageable.

The Problem of Structure

Relation to local government literally, structure in one sense, means an organized body or combination of mutually connected and dependent unit of elements. It also refers to the mutual relations of the constituent part of elements of a whole which determines its peculiar nature or characters.

Administrative structure is the first and foremost the framework within which purpose and finance operate in any complex organization. Bello-Imam (1983) is also of the opinion that it constitutes the manner in which policy is carried out, and decision are made which are put into execution by administrative officials. For him, administrative structure is often used synonymously with management structure even though there are fine distinctions between them.

While the place or area and population in the structure of local government is duly acknowledged, at the specific administrative level, it must be noted that there exists a formal static structure reducible to a set of laws and organizational court which diagnose the skeleton and organs as well as a more informal structure constituting a complex loving body often better described in terms of what the body does rather than how it's made up internally.

Whichever way one looks at it, administrative structures of local government is the brain framework on which other variables operate. It determines the relationship between various organs and also balances the apparently opposing purposes, thus preserving its character and strength. On structure and efficiency, it is noted that efficient local government seems to be those with a large administrative unit, hence the importance of the relation between the efficiency criterion and the scale of operation necessary for effective performance. However, while geographical considerations are quite important for environmental services, since economics of scale is almost always achieved if the area is large a more intimate scale in just appropriate for personal services especially when this affects local wishes and demands community involvements.

Structure and democracy are intertwined as one basic reason for the establishment of local government is to develop grassroot democracy. It is at the local level that people's aspirations and hope are discernible in their most relevant and specific form. It is at this level that their will and creative energies can be most effectively organized and usefully mobilized.

Therefore, the structure and quality of public administration at this level itself becomes a key factor in determining the capacity of the system to achieve democratic development (Bowman and Hampton 1982).

Comparative Analysis

The work uses structural approach (SAPP) to the study of comparative politics. The SAPP focuses on the institution of the state. This can include how the institutes affect the political system of the country and how a political system is affected when this institution change. The purpose of comparative politics is to provide a wider understanding of world politics by looking at how different countries can be similar or different.

In Nigeria, the state structure is a federal republic with three tiers of government, the center (also referred to as federal government), the state and local governments. There are currently 776 local government areas in Nigeria (Otobo in Adamolekun 2002: 293). The three tiers have their powers enshrined in the constitution of the federal republic of Nigeria, though in the case of the local

government, the state House of Assembly are mandated to legislate on their structure, composition, finance and functions.

Constitution of the federal republic of Nigeria (CFRN 1999) Section 7(i) the system of local government by democratically elected local government councils is under this constitution guaranteed and accordingly the government of every state shall, subject to section 8 of this constitution, ensure their existence under the law which provides for the establishment, structure, composition, finance and functions of such councils.

Ghana operates a quasi – executive presidential system of government. In Ghana's parliament, there is fusion of powers where majority of ministers are appointed from among members of parliament (Ayee 1993).

The Ghana Population shows 31, 794, 062 person (2021 Population Census). The Ghanaian system has a central government, regional and district assemblies (DAs), the basic units or fulcrum of the local government system, which are found in the 110 districts of Ghana mainly made up of elected bodies.

The regions of Ghana constitute the first level of sub-national government administration with the Republic of Ghana. As at 2020, there are currently 16 regions further divided into 260 local districts for ease of administrative purposes (Wikipedia 2020). They are:

1. Oti Region - Dambai
2. Bono East Region - Techiman
3. Ahafo Region - Goaso
4. Bono Region - Sunyani
5. North East Region - Nalerigu
6. Savannah Region - Damango
7. Western Region - Sekondi
8. Western North Region - Sefwi wiawso
9. Volta Region - Ho
10. Greater Accra Region - Acrra
11. Eastern Region - Kofori dua
12. Ashanti Region - Kumasi

13. Central Region - Cape Coast
14. Northern Region - Tamale
15. Upper East Region - Bolgatanga
16. Upper West Region - Wa

The district assemblies consists of elected representatives, 30% of the total membership appointed by the President in consultation with traditional authorities and interest groups and the chief, district executive, the chief representative of the central government and the district, who is appointed by the president prior to approval of two-thirds majority of the district assemblies (DAs) present and voting members of parliament whose constituency fall within the area of authority of the DAs are also members.

The DAs are the political and distractive authority in the district and have taxing powers and budgets of their own. They exercise deliberative, legislative and executive functions. They also supervise and provide guidance and direction to all other administrative authorities in the district. They are empowered to carry out eighty-six particular duties.

Subdistrict Levels

The sub district levels have two-tiers, the Urban; zonal and Town Councils (UZTCs) and the Unit Committees (UCs). The UZTCs are not elected bodies. They are representatives of the relevant District Assemblies (DAs) and UCs and government appointees. They are the rallying point of local and enthusiasm and support of development objectives of the district assemblies (DUs). The UCs are consisting of not more than 15 persons, of whom 10 are elected by Universal Adult Suffrage (UAS) and 5 are government appointees. The UCs performs such functions as education, organization of communal labour, revenue raising and registration of marriages, births and deaths.

It could be noted that both UZTCs and UCs are not in place as required by the constitution and by the legislative instrument (LI, 1994).

The link between the center and the regional, district and sub district levels is the ministry of local government and rural development (MLGRD) which function as

secretariat with the political role of nominating district chief executives (DCEs) and the 30% district assembly members to be appointed by the president. It is a super-ministry that issues instructions and directives to their ministries, agencies and government department on matters regarding decentralization.

It should also be noted that Ghana is a unitary and a centralized state. Central – Local relations reveal the centralizing features of the decentralization the central government has powers to influence the decisions of the sub-national government, and the interpretation of the sub-national government rest with the central government.

South Africa is a country and a home of about 50 million inhabitants. 70% are African, speaking one of the Bantu languages of the Southern tip of the African continent. South Africa is now a parliamentary democracy, rules through one of the most democratic constitutions in the world (PICARD 1994). South Africa is a quasi-federal governmental system with a central government and sub-national governments at the provincial, municipal, and local levels. In 1998, there were nine provinces and 843 local authorities. The local authorities range from large cities, such as Johannesburg with over 14 million people, to the hundred smaller local authorities in the rural areas. Segregated provincial and local authorities were first created after 1910.

What had merged by the 1980s were separate white provinces (four) and black homelands with the "own affairs" administration for Indians in Durban area and coloured in Cape Town area. In 1993 the "Own affairs" administration was abolished and some of the key functions of government in the white provinces and the homelands were integrated; agriculture, health and education.

In 1994, agreement was reached on the nine-province division of the country but without decision on whether or not authority was to devolve to the provincial level. It was clearly set out in 1996 Constitution, where respective functions of the central, provincial and local government are clearly set out parchment passed legislation on the sharing of resources among the different levels of government.
The 1994 government of national unity assigned responsibilities for local government affairs to the ministry of Constitutional affairs. Local elections were

held in 1995 and 1996, except in the rural areas of Kwazulu-Natal and the Western Cape provinces, the ANC won majority of seats in the local government elections. The other important issues in local government were the role of traditional authorities.

Comparative analysis of the structure in contemporary democratic study shows that local government in Nigeria's federal system is enshrined in the constitution. Authority of the structure and other institutions remain the creation and legislation on their various State Houses of Assemblies. This impedes the total devolution of powers to the local government as it is viewed as an appendage of the state. Full autonomy is unrealizable especially as the local governments are not given free hand to operate. Their tenure, power of the pause is subsumed in the state/local government joint account which does not enhance efficiency.

There are some similarities in the local structures in Ghana and South Africa since they practice almost the same system of administration. There is existence of provincial and district assemblies and sub-districts in Ghana much of the structures are appointed by the President who has the legislative deliberations as well as executive functions. The ministry of local government is super-ministry because of its powers.

South Africa for instance before 1994, the system of apartheid did not favour uniformity in the system. The ministry of constitutional affairs has responsibilities for local government as is obtained in Nigeria, where guideline for the running, renumeration and a control of councils emanate from.

Findings

The first experience from the comparative analysis shows that if the central government allows for effective devolution of powers to the local government, efficient service delivery, and democratic participation could be achieved at the grass roots. A situation where the local governments, districts assemblies are run by agents of the federal or central government renders local government as an agent of the central government as this impedes democratic participation.

Revenue accruals to the local government from the federation accounts should be allowed to get to the local government and on time. The 1981 revenue act has provided for an intergovernmental body, the state/local government joint account should not be used by states to divert and siphon monies meant for local government.

Recommendation

1. It is recommended that all local government should have a uniform standardized organization structure at the local level.
2. The local government should be given effective autonomy rather than becoming an appendage of the central or state governments.
3. There should be uniformity in the system. This should be tried for sometime.

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