

Policyweekly

Local Government Elections: Issues of Autonomy, Service Values and Politics



Policy Recommendations

- 1** A constitutional amendment should specify two federating units that do not include local governments.
- 2** The degree of autonomy of local government in each state should be determined by the State House of Assembly and passed as a law.
- 3** Civil society organisations working on local governance issues and development should actively engage with local governments and conduct social audits of their governance performance and processes.
- 4** State governments should commit to the ideal of good governance, respect local governments' areas of jurisdiction, including those that warrant revenue collection, and make available the monies stipulated by law for the operations of local government councils.
- 5** Federal Governments and politicians working at the national level should stop interfering with governance processes in their states, especially elections at all levels.
- 6** Government institutions like the judiciary should refrain from issuing reckless orders that portray them as partisan interests.

Introduction

The high-wire politics around local government elections in Nigeria since the reaffirmation of local government financial autonomy by the Supreme Court on July 11, 2024, points to fundamental questions about the value of local government first, as a legitimate service-providing entity and second as a vital base or structure for mobilising support and winning power. As a service-providing entity, the verdict of the Supreme Court revives the rationale for the 1976 local government reforms, which aimed to enhance popular participation and bring the government and its services closer to the people. Nonetheless, this aim of inclusion and improved services appears to have been undermined in principle by the constitutional provision of section 162 (6) of the amended 1999 Constitution, which stipulates that:

Each state shall maintain a particular account called the '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 (Federal Republic of Nigeria, 1999).

The above provision on 'State Joint Local

Government Account', which in principle should be a channel for the state to transfer the Federal allocations as well as a constitutionally prescribed 10 per cent of its internally generated revenue to the local governments, paved the way for state governments to undermine the whole essence of local government autonomy. Substantial deductions from the local government allocations to service different governance functions often take away a large portion of the funds. A [research finding](#) in the case of 23 Local Governments in Kaduna State shows that after deductions, the Local Governments merely received 24 per cent of their allocations. Suffice it to say that the funds meant for Local Governments do not reach the councils. Indeed, state hijacking local council funds is a generalised practice among state governments in Nigeria. Hence, despite their well-specified constitutional roles, local governments have appeared as redundant governance entities for too long. The emasculation of local governments and their poor performance in service provisioning would have prompted the Attorney General of the Federation to file an action challenging the authority of state governors to receive and withhold local government funds.

Apart from financially incapacitating the local governments, state governors use it as a mobilisation structure for winning and retaining power for their political parties and surrogates. The cliché that a political party has no structure in Nigeria is a reference to their lack of handle on the grassroots level of mobilisation, in which the local government provides a structure for its coordination. Hence, each party, whether ruling or opposition, struggles to achieve a level of control of this grassroots base for mobilisation. Therefore, powerful political interests, especially each state's ruling parties, fight hard to ensure total or at least substantial victory in local government elections. A count of recent local government elections shows that each state's ruling party won an overwhelming victory. The seeming exception is Rivers state, where the Governor is purported to be the leading supporter of those who won the elections outside his ruling Peoples Democratic Party.

Winning the local government elections for each state governor is more or less a *fait accompli* because all institutions, including the electoral umpire of the state, are effectively under their control. Thus, council elections merely formalise the interests of the state governors regarding who is elected in local governments. Ultimately, the Supreme Court verdict on local government autonomy is a case of too little too late. In this edition of the Nextier SPD Policy Weekly, we analyse the local government elections and their outcomes and implications for federalism and control of local governance.

Local Government Electoral Outcomes and Politics of Control: The Governors Remain Unfazed

At least nineteen states have conducted their local government elections. In each of the nineteen states, the ruling party has been winning landslide victories, apart from Rivers state, in which a fringe party scored an unusual landslide victory. Peoples Democratic Party (PDP) won all 21 chairmanship positions in [Adamawa State](#), 17 out of 17 in [Bauchi State](#), 8 out of 8 in [Bayelsa State](#), 17 out of 17 in [Enugu State](#), 25 out of 25 in [Delta State](#), all 33 in Oyo State, all 17 in [Taraba State](#), 30 out of 31 local governments in [Akwa Ibom State](#). In the entire state, the winning parties also won all the corresponding councillorship seats in all the local governments they won. In Akwa Ibom, the only council that the PDP did not win went to the All Progressives Congress (APC). The national ruling party, APC, won all 23 Local Governments in [Benue State](#), 27 out of 27 in [Borno State](#), 13 out of 13 in [Ebonyi State](#), all 27 councils in [Imo State](#), all 38 councils in [Ekiti State](#), 17 out of 17 in [Yobe State](#), 21 out of 21 in [Kebbi State](#), 11 out of 11 council seats in [Gombe State](#) and all 23 council seats in [Sokoto State](#). In all councils where the parties won, they also swept the polls for councillorship. In [Anambra State](#), the ruling All Progressives Grand Alliance (APGA) also won all the chairmanship and councillorship positions in their elections.

[Rivers State](#) was a zone of hot contention between the immediate past Governor and the incumbent one. Their contest over controlling grassroots structures for determining political outcomes extended to the local government elections. The former Governor had an overwhelming influence on the existing grassroots structure of the ruling PDP. Loyalists of the sitting Governor joined an unknown fringe party, Action People Party (APP), and won 22 out of 23 local Council seats in the state and the corresponding councillorship positions. Rivers State was a significant test case for the powers of a sitting Governor in determining outcomes in local council elections. Despite the [court injunctions](#) that restrained the Independent Electoral Commission from issuing the voter register to the Rivers State Independent Electoral Commission and also restrained the Police and DSS from providing security in the election, the election occurred on October 5, 2024. The APP, believed to be the Governor's favoured party, won a landslide victory. In the entire recent polls in the country, there is hardly any without complaints of electoral malpractice. Rivers State and other preceding local council election results suggest that the state governors' powers in determining the nature and outcome of the elections

are enormous. The interest of the state governors is not about supporting the constitutional role of local governments but for the effective capture of the grassroots structures or political machine for power struggle. The struggle for control of the local political machine can also turn violent, like the [post-election arson](#) that trailed the Rivers state council elections.

The import of the state government's influence in determining who sits in what local government council through the control of state institutions is that governors continue to manipulate the process to pave the way for their surrogates to occupy the council positions. Therefore, the governors will invariably continue to allocate the local government offices to their surrogates and determine how the local government allocations are used.

The power of state governments in determining who gets what position in local council elections seems to settle the question of which level of government is best suited to make decisions about local government systems and operations. No doubt, it is the state government. Their commitment to good governance and the creation of latitude for the same at the council level is an entirely different issue. Classical [theorists of federalism](#) like K.C. Wheare, Daniel Elazar, and William Riker identified two levels of coordinate governments with shared powers that are constitutionally expressed. Local government is, therefore, not an essential federating unit, even as it is crucial for extending governance to the local population. It should be at the instance of the state government. Each state should be allowed to determine and operate the local government system it considers fit and finance the operations without extending the burden to the central government. Should the Federal government get too interested in local government matters, it is likely to be suspected of wanting to usurp the local political machines at the state level for power struggle. Thus, it is only through active and sustained civic vigilance and engagement with a social audit of governance performance that the levels of government may commit to their responsibilities.

Recommendations

In light of the emerging trends from the local government elections so far and regarding the principle of federalism, we make the following suggestions:

1. A constitutional amendment should specify two federating units that do not include local governments. Based on that, the subnational governments should be allowed to decide which local government system suits their state in each case.
2. The degree of autonomy of local government in each state should be determined by the State House of Assembly and passed as a law. Such laws must not be subjected to reckless short-term changes.
3. Civil society organisations working on local governance issues and development should actively engage with local governments and conduct social audits of their governance performance and processes. Such social audits should be published and circulated widely to keep those in positions of public trust alert to their responsibilities.
4. State governments should commit to the ideal of good governance, respect local governments' areas of jurisdiction, including those that warrant revenue collection, and make available the monies stipulated by law for the operations of local government councils.
5. Federal Governments and politicians working at the national level should stop interfering with governance processes in their states, especially elections at all levels.
6. Government institutions like the judiciary should restrain from issuing reckless orders that portray them as partisan interests.

Conclusion

The struggle for the soul of local governments in Nigeria and autonomy discourses are interested not in its value as a service-providing entity that brings government close to the people but in its use as a framework or machine for organising pursuits for power. Besides, control of local government elections creates room for the control of its finances, which often need to be better used. Consequently, local governance has declined while intrigue and violence about controlling it are increasing. Recent Supreme Court judgment and council elections with questionable results expose a matter that may not be resolved too soon.

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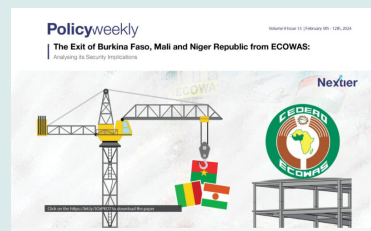
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