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Caretaker Committee System and Democratic Governance in Nigeria's Local Government System: 2003-2014 in Anambra State

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Caretaker Committee System and Democratic Governance in Nigeria's Local Government System: 2003-2014 in Anambra State

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Keywords: caretaker committee, democratic governance, local government.

I. INTRODUCTION

By and large, the importance of local government administration cannot be under-emphasized. Countries all over the world have adopted this tier of government as the major source of ensuring that the governments or the dividends of democracy, gets to the grass root. Those in the grass root are basically those areas that ordinarily may not have the well with thaw to get to the government at the center. In some countries local government is referred to as municipals, development centers, counties, or local departments as the case maybe. The underlying motives are that, they are targeted efforts to ensuring that the remote villages and towns get what is due to them. In Nigeria, local government is the government of the grassroots which is designed to serve as an instrument for rural development.

Undoubtedly, an efficient and effective local government system ensures a strong developmental base or foundation of any nation. This was supported by Nwachukwu et al (2000) who stated as thus:

"Municipal institutions (local governments) constitute the strength of a nation ... A nation may establish a free government, but without municipal institutions it cannot have the spirit of liberty...Man creates kingdoms but townships seems to spring from the hand of God."

The position of Nwachukwu et al (2003) actually puts things in the right perspective. It was equally backed by Sir. Arthur Creek as cited by Rowland & Humes (1969) whom in strong terms wrote as follows:

"I believe that the key to success lies in the development of an efficient and democratic system of local government. I wish to emphasize the words efficient, democratic and local. I do so not because they import any new concept into African administrations; indeed, they have been the aims of our policy for many years. I use the words because the system of government must be close to the common people [Local Government] and provide local services in a way which will help raise the standard of living, and be democratic because it must not only find a place for the growing class of educated men, but at the time command the respect and support of the masses of the people".

In the words of Sir, Arthur Jones above, it is obvious that for any nation to achieve their aspirations as a developed nation, they would as a matter of fact see the local government system as bedrock.

Abonyi (2011) while adding his voice noted that, Nigerians have continually aspired for democracy in the belief that only leaders who are democratically elected [at local governments] can be responsible and responsive to their needs. It is therefore, the disposition of Abonyi that raises the pertinent questions such as; what kind of local government systems are being practiced in Nigeria at present? Why has our leaders suddenly abandoned the option of a democratically elected local government administration and adopted the Caretaker Committee System as a substitute to the constitutional provisions of an elected local government officers. Could it be that the Caretaker System is a better option?

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It is therefore, the intention of this paper to by method of content or thematic analyses, examine the practice of Caretaker Committee System in Anambra State between 2003-2014 with the aim of ascertaining whether or not the system impacted on the socio-economic life of the people at the grass root and make relevant suggestions/recommendations. To achieve this, the paper is divided into the following sub themes; on Caretaker Committee System, Democratic Governance, Local Government and as well the Effects of Caretaker Committees on Democratic Governance in Anambra State from 2003-2014 and make relevant Recommendations.

II. CONCEPTUAL CLARIFICATIONS

a) Caretaker Committee

Historically, the caretaker committee system of local government has no place in the constitution of the Federal Republic of Nigeria. However, its practice is dated as far back as the Nigeria's second republic. Ogunna (1996) noted that during the second Republic in all the States of the Federation, local governments were run by Caretaker Committee System consisting of party loyalists appointed by state governors.

Since after its first practice in the second republic, the idea of managing the local governments with the Caretaker Committees has been on the increase in Nigeria. Between 2003-2013, out of the 36 states in Nigeria, 25 States have the local governments administered by the Caretaker Committees (Okafor & Orjinta, 2013).

Apparently, this increase is as a result of the lacuna created by the 1999 constitution as amended. The constitution did not specify the term of an elected local government council. The Governors then capitalized on these loopholes and turned the local government into an avenue of settling their loyalists.

Section 7(1) of the 1999 constitution states thus;

"the system of local government by democratically elected government council is under this constitution guaranteed, and accordingly, the government of every state shall subject to section of this constitution ensure their existence under a law which provides for the establishment, structure, composition, finance and function of such councils".

Similarly, the section 1(2) also states that;

"The federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the government of Nigeria or any part thereof except in accordance with the provisions of this constitution".

Sub-section 3 of the constitution emphatically summarized it by stating it inter-alia;

"If any other law is inconsistent with the provisions of this constitution, this constitution shall

prevent, and that other law shall to the extent of the inconsistency be void"

Notwithstanding the unconstitutionality of the Caretaker Committees, what is worrisome however, is the reason many state government has resorted to this practice as a panacea to rural development in Nigeria. We believe that in a democracy, leaders should be a product of the choice of the people but that is not the case in this circumstance.

Abbas & Ahmad (2012) emphasized that the situation has gotten so embarrassing that even where elections have been conducted, Governors may deliberately force the tenures of local government chairmen to lapse early, so as to pave way for him to appoint loyalists as Caretaker Committees. The primary aim according to him is for the Committees to work towards delivering their local government votes to the ruling party at any point in time thereby for disenfranchising the people.

Okafor & Orjinta (2013) supported the above and maintained that the nature of party politics played by the state governors at the local government level in order to maintain power violates democratic principles. This he said hinders the governments from performing their functions, there by destroying democracy and development from its base.

Also, Aluko (2010) argues that a serious point against nominated Committees of management particularly in a civilian regime is that the government in power may misuse the system to keep its supporters indefinitely in control of local government. This is to frustrate the opposition parties and use the interregnum to strengthen its party organizations at the grassroots through patronage which is provided by local governments in the form of contracts, job orders, junior staff appointments and promotions and such appointments touch sensitive positions.

Despite the foregoing, Caretaker Committee System is seen as way in which a sitting government especially a state government selects and appoints individuals in most cases of the same political parties, to manage the affairs of the local government.

However, the dispositions of writers has been diverse but has not deviated from a general concordance on the unconstitutionality of the Caretakers Committee System. To some, it's a corrupt practice in its totality, to others it's antithetical to constitutional provision and to that extent should not be encouraged in any form and to a few persons; it is good because it has helped the leading parties in various states to keep their strength at the local units intact.

b) Democratic Governance

The concept has no generally acceptable definitions scholars has attempted to define the concept in their perspective.

According to World Bank Report (1989) on Sub-Saharan Africa: from crises to sustainable growth, sees it "as the manner in which power is exercised in the management of a country's economic and social resource for development".

To Lafenwa (2009) to democratic mode of exercising powers and performing functions by established institutions to achieve developmental goals.

However, democratic governance can be understood in terms of the elements it constitutes (Nyewusira & Nweke, 2012). Thus, the National League of cities in Lafenwa (2009) defines the concept as "the art of government a community in participatory, deliberative and collaborative ways".

Being in total agreement with the perceptions of scholars, it is not an absence of dissimilarity that the concept of democratic governance is not just exercising powers, performing functions or governing the people. For us, democratic governance involves in totality the basic elements of democratic ethos. It can literally be defined as governance of the people by the people, for the people and with the people. In other words if its devoid of the peoples whims and caprices, then its not what it should be and that is in line with the dispositions of Jega(2006).

Jega(2006) listed the basic democratic ethos of a democratic governance to include the following:

- a. Representation
- b. Participation
- c. Responsive and Accountable Governance
- d. Egalitarian Society
- e. Transparency and Accountability

In clearer terms, the constitutive elements can be expressed below;

- Representation: This involves permitting the people to have a choice in choosing their leaders. This idea enables whatever government in power to run a peoples government.
- Participation: The idea here, involves the governments running of the peoples driven policy. In other words involving the people in policy formulation and implementation.
- Response and Accountable Governance: This involves the delivery of services to the people and towns in a way that creates utilitarian value i.e. Policies of government bringing greatest happiness to the greater number of people.
- Egalitarian Society: This involves equality before the law. The people having equal benefits and punishment before the law. Ensuring social justice.
- Transparency and Accountability: The idea involves running an open government that is accountable in the management of public funds.

The actualization of these elements goes a long way to measuring the strength of a democratic nature of the government. This is in tandem with the position of Nyesiruwa & Nweke (2012) which emphasized that democratic governance is approached by two main pillars of the liberal democratic tradition;- citizen participation in the determination of governing itself and in decision making processes;- and a right "platform" that supports and protects the role of individuals in the governance process.

However, a concerned question which the study seeks to unravel is, if these are the tenets of a democratic governance, has the Caretaker Committee formed by the previous regimes in Anambra state from the 2003-2014, lived up to the expectations in the local governments?

c) Local Government

Conceptualizing local government, like others in the social sciences, is not easy; it is difficult to have a universally acceptable definition for this concept in developing and developed countries of the world.

Consequently, Owasa(1995) has opined that the meaning attached to local government varies from country to country and, more frequently; it has become the purpose for which the local government is created.

Appadorai (1975) sees local government as government by the popularly elected bodies charged with administrative and executive duties in matters concerning the inhabitants of a partial or district or place.

Bello & Uga(2004) while quoting the International Union of Local Authorities (IULA) defined the local government as;

"That level of government with constitutionality defined rights and duties to regulate and manage public affairs which are constitutionally defined for the exclusive interest of the local population. These rights and duties shall be exercised by individuals that are freely elected or appointed with the full participation of the elected body".

Chukwuemeka & Uche (2005) defined the local government as, a political sub-division of a state, which has a legal existence under the law and is run by elected representative of the local people, with substantial autonomy in administrative and financial affairs.

Okoli (2000) in Nyesiruwa (2007) stated that it is impossible to talk of local government without making reference to national (federal or state) government since the idea of 'local' presupposes the existence of a broader government superintending the 'local' one. In the light of this observation, Okoli pinpointed out three critical issues concerning local government. One is that local government exists to fill a gap which the national government is too remote to fill. Secondly, local government implements the ideals objective,

programmes and aspirations of the national government at the local level. Thirdly, the ideology of the national governments determines to a large extent the structure and functioning of the local government.

Implicit in the foregoing conceptualization, we stressed that the local government could be defined as a tier of government formed to be closer to the people and highly indigenous in such a manner that the people would feel belonged with the government both in policy formulation and implementation.

III. EFFECTS OF CARETAKER COMMITTEES ON DEMOCRATIC GOVERNANCE IN LOCAL GOVERNANCE IN ANAMBRA STATE: 2003-2014.

Historically, the general elections of 2003 in Nigeria ended the tenures of the second democratic transition in Nigeria from 1999-2003. The 2003 general elections were massively rigged in all the states in Nigeria including Anambra. Dr. Chris Ngige who became the favoured candidate, managed the affairs of the state from 2003-2006, until he was removed from the office by the federal Court of Appeal Enugu, having lost at the election Tribunal.

Dr. Chris Ngige within the 3 years he spent in office never conducted local government election and that trend continued up till the period Mr. Peter Obi came on board on March 17th, 2006.

The era of Gov. Obi continued in the same way up to the end of his first tenure in the year 2010. During the Administration of Peter Obi as the governor of Anambra, within the period under review, the Head of Service in all the 21 local government areas in Anambra were used by the State government to manage the affairs of the local government thereby denying the people the right to participate in their own local governance. This therefore not only politicized the Civil Servants but negatively impacted on the lives of the rural dwellers as no meaningful developmental projects were executed within the period. The local government funds were mismanaged by these officers. Sometimes contracts will be awarded but will not be executed while the contract fund was shared between the minority and the council officials. In the second tenure he made a lot of promises to conduct election in the local government which was never fulfilled up till the penultimate of his second tenure when he conducted a flanked local government election since 2003 on the 6th February, 2014. This was because the election was not only massively rigged but results were announced even where election did not take place. Thus, the local government in Anambra state has passed through numerous Caretaker Committee Regimes.

The study therefore would examine the travails of local governments, in Anambra State local

government's systems under the following implications;

- Political effects
- Economic effects
- Social effects.

Political Effects: Jega (2006) clearly emphasized that one of the basic constitutive elements of democratic governance is that of representation. Representation according to him is the people having freedom to choose by themselves who represents or governs them in leadership through a free and fair election. Under the Caretaker Committee leadership, the case is usually a dominance of the leading political party. In fact between 2003-2014, it was not on record at any time when a governor appoints a member of an opposition party within the state as a member of Caretaker Committee.

To such leading political parties, the party is growing stronger and waxing their political popularity and acceptance at the grass root, while throwing away the real reason of basic dividends of democratic governance by allowing a participatory leadership where even a minority would have a say.

On the other hand, it has been discovered that the Committees only pay allegiance to the political class and had weaken the democratic structures at local level in Anambra State from 2003-2014. While writing on "the Challenges of Democratic Governance in the Fourth Republic in Nigeria" Ogbonnaya et al (2012) emphasized that the weakness of democratic institution is a challenge to democratic governance. They referred to the institutions as the executive, judiciary, the legislature. But of obvious fact is the reality that these institutions can only function effectively in an elected democratic structure especially at the local government level, which Caretaker Committee appointments do not encourage, this is also a negation of the provision of the 1999 constitution of Nigeria as amended which provides for a democratically elected government at the grassroots level which will encourage citizens participation.

Economic Effects: Unarguable is the fact that the Caretaker Committees are not elected and therefore the pre-requisite institution that could serve as checks and balances are non existence, the members therefore see it as an avenue to loot the local government and enrich themselves with the public funds.

The empirical study of Okafor & Orjinta (2012), specifically in Onitsha North local government area revealed that there is a unanimous agreement on the lack of impact of Caretaker Committees on improving the living conditions in the area. The Committee members lamented that they only receive salary at the end of the month which is paid only when the governor approves it.

Between 2003-2014, local governments in Anambra state have not witnessed any serious

economic development. The colossal failure of the Committees gears to the fact that they are at the mercy of the state government. In most cases they are being referred to as watch dogs. For example in Ayamelum local government which consists of eight communities, the communities never witnessed any project done by the local government between this period under review and that is applicable to the rest of the local government in the state.

Social Effects: The social implication has to do with the quality of relationship that exists between the Caretaker Committee members and the career civil servants even the people at large. However, the relationship has been that of "master-servant" relationship with the reason not farfetched. Since they merely represent the presence of the governor at the local government level, they are seen as 'semi gods' due to the fact that whatever happens, their godfather would come to their rescue.

It was discovered that between 2003-2014, the local government do not have any social contract with the masses. Evidence is the fact that no meaningful project was executed and commissioned by any Caretaker Committee regime. The underlying fact therefore is the fact that it negates egalitarian society which is one of the constitutive elements of democratic governance according to Jega (2006). Jega expressed egalitarian society as a constitutive element of democratic governance. To him, it encourages, constitutional regime, fairness, economic and social justice.

IV. CONCLUSION AND RECOMMENDATIONS

From the analysis so far presented, democratic governance under the Caretaker Committees in local governments in Anambra state between 2003-2014 to us is "a wild goose chase", problematic and threatened by internal and external variables. That is to say, that the sustenance of local government administration on the basis of caretaker committees is apparently responsible for the weak democratic ethos and perennial underdevelopment of the local government in Anambra state, 2003-2014.

This failure of democratic governance is explained, in the fact that the dominant party imposes politics of transaction rather than transformation in the conduct of public affairs at the local government level (Nyesiruwa & Nweke, 2012). Their position was in line with Okafor & Orjinta (2013) who emphasized that the local government Caretaker Committees is simply an experiment towards the scrapping of the local government and is, in practice an extension of the party in power.

On this basis, we recommended that; local governments should be exposed to competitive elections, political and financial autonomy that is in

commensurate with her status as the third tier of government. We believe that it's only through a thorough democratic institution that the local government can thrive in her quest for development at the local level.

The local government should be strengthened constitutionally; this would enable the removal of the clauses that makes the local government to be at the mercy of the state government. Immediate removal of the joint account between the State and local government so that the revenue base of the local government will be strengthened.

Finally, the introduction of Caretaker Committees as a basis of recruiting public officers at the local government level should be discouraged, hence efforts should be made to ensure the enthronement of a democratic government at the local government level, as this is the only measure that will enhance the development of the rural areas.

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