

# **Participatory Democracy and Political Accountability**

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## **Introduction**

It should be stated that local governance had existed prior to colonial rule in Nigeria. The local people, called the native by the British colonial masters, ruled themselves in ways that were strange, unknown and unacceptable to the colonial masters, through their locally constructed institutions, mediated by culture, tradition, religion and values. As a result of this the colonial masters called the African peoples natives, to distinguish them from settlers-who were the white people. This was how they created the Native Authority (NA) system, as a form of governance of the natives with the Chiefs, Hakimis, and Kings (Emirs, Sultan and so on) at the top mediated by colonial offices as umpires who superintended over tax collection, Native courts and Native governance. Increasing, the transformation of a segment of the population into an educated elite, forced such elite to move into towns and to seek to be accommodated by white tradition rather than native authority. The dual system which resulted from this was Civil law and customary law. Mahmood Mamdani (1996) best captures this: customary law was meant to serve the subjects (natives), and civil law was meant to serve the citizens. Civil law was meant for settlers and customary law was meant for natives. Civil law was superior to customary law which meant that citizens were superior to subject. What is worse, the natives were under two forms of law-native and customary laws, whilst the settler could only be tried under civil law. That made Mamdani to conclude that the natives were under dual oppression and therefore Indirect Rule meant nothing other than “decentralized despotism”.

With constitutional reforms of 1951 and the subsequent self-government that followed in form of regional government, the Native Authority system which was so well consolidated in Northern Nigeria was not democratized neither was it reformed, rather it was further consolidated as an instrument of repression of the people. The most important conclusion to draw from the Native Authority system as a form of local governance is that it was highly autocratic, oppressive and anti-democratic. The local people were fearful and dreaded the Native Authority and local forms of governance. This continued under the rule of Northern Peoples Congress (NPC) until 1966. The Civil war between 1967 and 1970 did not allow any room for any form of reforms.

## **Dasuki Local Government Reforms**

It was not until 1976, that the Federal government constituted a Committee under Alhaji Ibrahim Dasuki to reform the entire local government structure in Nigeria. This reform, for the first time, made the Local government a Third Tier of government.

The 1976 Local Government Reform defines a local government as:

Government at local level exercised through representative council 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 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 governments in their areas, and to ensure, through devolution of these 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 (Guidelines, 1976, cited in Mudasiru, 2009: 2).

The implication of this is four fold:

- (i) It means that the key officers to govern the local government, both as executive (Chairman) and legislative (Councilors), will be elected. Early officials of local government following the reforms in 1976s, produced candidates and politicians who later became very prominent on the political map of Nigeria during the 1978 transitions to civil rule process. And the local governments introduced profound reforms that impacted on the local people.
- (ii) The local governments were to have legal personality, meaning that they distinct from other tiers of government-federal and state; they could sue and be sued
- (iii) They have statutory functions, roles and powers defined, prescribed and inscribed in the constitution of Nigeria. Hence their actions are lawful and justiciable
- (iv) They encourage local participation and initiative in governance.

### **The realities of Local Governance**

There is a difference between local governance and community governance. Local government is carried out by elected officials of the Local Government Councils and their bureaucracy, while community governance is the way the communities have governed themselves in their various forms of associations and social life, in spite of government. We shall return to that, presently.

Traditional rulers and key stakeholders in local communities have become the key patrons of Local government; they take them captive and collude to siphon the little resources that accrue to the local governments. All sorts of people from traditional rulers, to religious/spiritual leaders (North) to youth leaders (Niger Delta) to God fathers (all over the country) are on pay roll of many Local governments which leaves little room for social development in communities. Members of communities prefer their personal problems to be solved by elected officials of local government, rather than for social development programmes /projects to be implemented.

The nature of statutory allocation of funds from Federation Account simply makes Local Governments the custodians of Primary school salary (courtesy of UBEC) and Local government staff salary. The meager resource that is left is simply stolen through dubious contract awards and corrupt practices.

State Governors also comer Local Government funds, they arbitrarily divert or appropriate whatever they please from the allocation from the Federation Account, without even having a dialogue with Chairmen of Local governments. Many former State Governors are currently facing charges before the Economic and Financial Crimes Commission (EFCC) because of this. And more often these monies run into billions of Naira.

Politically, aspiring/prospective Local government Chairmen are now determined, nominated and imposed by incumbent state Governors. Within the various political parties, there is often no internal democracy to nominate who should run for election, neither is there room for the best candidate to emerge. Everything is imposed from the top. Additionally, the State Independent Electoral Commissions (SIECs) are in the pockets of incumbents state Governors. It is therefore little surprise that there is no state in the federation where the Local Government Chairmen and Councilors are not at least 80% members of the political party in power.

### **De-Democratization at the Local Government Level**

There is a difference between local government and community governance. Everywhere through Community Based organizations (CBOs) and other forms of community organizing, the local people are trying to empower themselves by organizing in thrifts, cooperatives and other forms of cultural and traditional groups, including age-grades, ethnic, developmental and associational life. Through these groups they make decisions, set standards, and define rules of governance for themselves. Nobody violates such rules, else they are sanctioned.

This form of community governance is different from the rule by traditional rulers who most times work in tandem with Local government officials and state governors to subordinate, alienate and oppress the communities.

All over, communities are demanding rights of participation and inclusion. They are complaining of lack of access to micro-finance, primary health care as contained in the Alma Ata Declaration of 1978. They are struggling for implementation of social development, decent public schooling for their children and the need for decision making to be more inclusive and participatory at the local level.

However, because many Local Government Chairmen were benefactors of so-called Godfather syndrome, they are as a result so alienated from the people and even afraid of the people. They can not go near them because they are unable to deliver on any thing. Many of them have no manifesto, no programme and therefore can not formulate people-focused policies. When election approaches, they go to their Godfathers to assist them in rigging. They believe more in their Godfathers than in the electorate. The people are disenfranchised and alienated from the political process.

Local government politics is also often characterized by violence. Politics becomes “do or die” or a form of warfare or war. Rather than allow ideas to contend, it is AK47 that hold sway; it is a matter of who has more weapons of violence in abundance that is likely to win an election. This is because violence empowers election riggers at the ballot box and disempowers genuine believers in free and credible elections. As a result, violence has been the greatest basis of the disempowerment of the electorate in Nigerian politics. And INEC is an umpire waiting to declare the Victorious “War General” rather than who genuinely won the highest number of votes. Money continues to play an important factor in disenfranchising the Nigerian electorate. It should be stated however that violence much more than money has been the basis of the disenfranchisement and disempowerment of the Nigerian electorate at the local level. This is because people are still willing to collect money and yet vote their conscience. However, the “votes do not count”. INEC simply has pre-arranged results they declare. The Court rulings in Edo and Ondo states are instructive and I urge everybody to read them. Party hoodlums led by prominent politicians and incumbents abuse the security privileges and paraphernalia during elections; they arbitrarily plunge into any polling station and dislodge party agents, electoral officers and voters to the glare of Policemen deployed in those polling stations. Everything takes place in lightning speed, because every thing is well rehearsed and orchestrated. It is a mafia-like episode that is unprecedented

anywhere in the electoral history of the world. This has cultivated fear, pain, agony, apathy and a spirit of despondency in the electorate and would-be political aspirants.

It is little surprise that election petitions litter everywhere. After the General Elections of 2003, there were 527 petitions that went before the Federal Court of Appeal, as compared to the 1,527 that went to the Court after the General Elections of 2007.

Local governments are treated with utter disrespect, disdain and insensitivity by State Governors and the federal government, their strategic role in social and economic development at the local level is not appreciated. Similarly, many local government Chairmen, merely view their positions as that of regular disbursement of public money to State Governors, Traditional rulers, political mentors, their so-called Godfathers and/or patrons/hangers on. Hence, all forms of development that ever take place at the local level often come from either the state or federal government. What is generously described as development is in form of provision of feeder roads, primary health care and so on. Issues in which community labour is crucial and important, but from which the local communities are alienated and excluded. Whereas the communities are able to identify and define local needs, because they live in and have experience of community life and livelihood. There is also another technical problem that makes the local government unable to do much-constitutional constraint. Most functions and responsibilities in the Exclusive, concurrent and residual list ought to go to local government. There is a technical flaw in the constitution which a fundamental constitutional review to empower local governments should be the solution. The Budget of Michael Bloomberg, the Mayor of New York is also most the size of the Annual Budget of Nigeria. Yet, Bloomberg himself is the 8<sup>th</sup> richest person in America. He was formerly a member of the Democratic Party and then ran as an Independent. He replaced the ultra-Right Wing Rudy Giuliani of the Republican Party, and of the 9/11 fame, who later contested the Presidential primaries of his party in 2007/8 and was forced to withdraw after his disastrous performance in Florida where he had placed his hope of making dramatic bounce back of the "Comeback kid".

The most fundamental problem of local governments is that most of them owe their allegiance to State Governors and state officials who are their benefactors and not the people of the community. Hence the issue of service to the people or inclusion of the people is seen both as an anathema and an unacceptable intrusion. Hence, the problem of the local government with respect to participatory democracy arises from the mindset of local government politicians and officials and their disposition to democracy and their beholding attitude to state politicians. Their attitude is also because many of them look up to higher political positions which they believe can only come through if they were beholding to state Governors and Godfathers. Ditto for those who wish to keep their positions as Chairmen and Councilors.

With all this taking place, local government-community engagement does not take place. Local government-community dialogue takes place in form of a monologue-a top bottom order or instruction. That is, local government officials simply assemble key community officials and "pass" information to them; they do not create room for dialogue over such information. Neither do they allow local participation in decision making; they are not sensitive to community demands and how to input and process them in process new decisions/policies at local government level. This creates alienation, disempowerment and disinterest in political participation at the local government level, on the part of the people. However, the local government officials prefer this form of political apathy of the communities, as it gives them political space to continue with their arbitrary and unchecked form of administration.

Mentoring is also not taking place at the local government level. This is a big blow to the advancement of democracy. In many other countries, many young politicians state from the local level and learn from

mentors and exemplars. The bane of Nigerian politics is that such political mentors to give tutelage to young and upcoming politicians are in decline.

In many advanced countries where responsibilities and resources are given to local government, they are able to wield great powers and leverage, and they command respect among the communities. The case of Mayor Bloomberg of New York has already been mentioned. There is also the case of Ken Livingstone, the Mayor of London, and a firebrand Leftist and well respected/dreaded politicians in British Labour Party. The challenge for Nigeria is how to make local governments more functional, have financial autonomy and to also build bridges and also reach out to the communities to include them and make them participate in decision making processes of the local government. Having local Government Councilors is not enough. After all, when planes get missing, the first to discover them are the local farmers and fishermen; this happened in the ADC crash in Lagos in 1996, in the Bellview crash in 2002 and so on. In the end no body even as much as thank these communities not to talk of compensating them for their patriotism and challenging act. For instance, FAAN was busy claiming that ADC flight may have crashed in Ilorin, whereas the crash took place less than 5 minutes after take off around Ota, in Ogun state! The communities have a lot to teach us about democracy and we should be humble enough to learn from them. Sand if democracy is about the "people", they the people should not be excluded from democratic practices.

### **Devolution and Deconcentration in Local Government**

Philip Mahwood and Philip Maddick have most popularized these concepts in the study of local government. By devolution they mean granting powers from state and federal powers to local government to perform, for and on behalf of those tiers of government. Their performance, indeed, comes with grants and financial support. On the other hand, deconcentration means giving the local government the right and the space to practice democracy from below. However, while the experience of many western and North American countries have shown a remarkable conformity with the latter principle.

What should be known about the communities is that it is at the communities that majority of the women first connect to politics; that is where they are first mobilized for political participation, unfortunately, that is where they are instrumentalised and manipulated. Many women live in the rural areas, they are rooted to the informal economy, they are socially and economic ally active in thrifts and cooperatives, in local markets, trade and commerce. They are also active in social development programmes of communities. Yet, they are politically disempowered. Deconcentration as a tool of political empowerment in the local government has not been in use in Nigeria. There is need for fundamentally re-look how to design policies and programmes that will make this tool an effective tool of empowering the communities ns more especially women and youth.

### **Political Accountability in Local Governments and De-Democratization.**

Political accountability begins with popularly secured electoral mandate. This is the basis upon which the convent and compact with the people is signed. Where the "elected" representatives are neither elected nor represent the interest of the people, then there is no basis for political accountability. Hence, the first form of accountability starts with genuine electoral victory at the ballot box. Where the will of the majority of the electorate is denied or stolen at the electoral box, then there is crisis. The people get alienated from the "elected representatives. This also happens at the local government level, where majority of the elected offices are totally disconnected from the people. Hence they do not feel the need neither are they obliged to be accountable to the communities. They believe that their allegiance is to State Governors, state Houses of Assembly and God fathers. The role of civil society organizations and Community Based

Organizations should be respected and incorporated into local governance. The point being made is that at present, local governance and community governance are antagonistic because of the various interests and stakes of each side. However, the way out is for there to be more political inclusion and this is the only way to institutionalize processes of governance.

Since there is little political participation, it then means that political accountability will be less. Democracy is not merely about electing representatives, it is also about getting the citizens to participate in governance, participation in decision making processes, sensitivity to the needs and aspirations of the people, putting the citizens first, by taking active interests in political process, debate, public hearing, recall, referenda, party political education, party mobilization, reorientation of the citizens about their civic responsibility and the respect for public opinion.

There ought to be openness and transparency in governance. This will allow for the people to see how they are led and governed.

Next there must be equity and fairness in governance, where the rights of the communities are respected and protected and where the rights of women and youth, and children are also respected. In this regard, the progressive of the National Youth Policy, The Convention on Human Trafficking, Democracy and Good Governance are domesticated and actualized at the local level.

The local government bureaucracy should also be made to work and effective too. At present, the local governments bureaucracy have become instruments of corruption, blocking all avenues of exposing corruption in local governments

Budgets should be socially determined and reflect the peculiarities of the majority of the people. This is the meaning of the "public good" and public interest. Majority of the time, local government budget are designed without the input of the communities. State Governors do not even allow local budgets to be prosecuted. Rather they merely determine, most times without discussion how much should go to their pockets and how much the local government Chairmen should loot whatever is left, after paying salaries.

Many local government staff are either poorly trained or fresh graduates are often recruited with weak qualifications and certificates in some local governments. Indeed, political balancing and patronage often determine such recruitments. There is need to improve the capacities and skills of local government staff, that is the only way they can improve service delivery at the local level and also assist local government Chairmen some of who do not know their roles and responsibility. This is the way to make local government efficient and functional.

Political accountability also means that at all times; the local government should open its books to public scrutiny and public accessibility. Budget lines should be followed, and budgets should be monitored by the citizens. If the people pay tax, they must also know how their tax is spent. The experience of Lagos State Internal Revenue Service (LIRS), under Governor Raji Fashola, shows that after Pay As You Earn (PAYE), the only major segment of the people who pay their taxes promptly are the market women, with kiosks, and those who lay their goods on the floor in the streets of Lagos. These men and women know and appreciate the meaning of prompt payment of tax. They therefore deserve to ask questions about how the tax payers' money is expended, and more importantly where their taxes should be expended. If the tax regime in Nigeria becomes more efficacious, the citizens are alive to their civic responsibility and make political demands. Western countries are apolitical and apathetic about elections the last EU parliamentary elections attest to do, so does the US Presidential election of November 2009, in spite of Obamania. What this tells us is that being apathetic about elections does not mean that citizens should also shirk their civic responsibility. In Nigeria, both politicians and citizens, tend to confuse both.

No one person has all the ideas or wisdom to solve common problems of society. Unity and consensus building at the local level makes not only for participatory and inclusive process, but it allows for nation-building from the grassroots. That many of the people of the communities are illiterate does not make them ignorant or bereft of quality and enriching ideas to improve local governance. In the core North of Nigeria, many people are learned in Qur'an education and not in western education. Can these people be called illiterates? Can Arabs taught or educated in Arabic be called illiterate because they do know a word in English language/

There has been over reliance on foreign NGOs and domestic donor driven NGOs to develop the communities of Nigeria. Hence many SEEDS and LEEDS programmes, all derived from the NEPAD country programme of NEEDS, designed for Nigeria have looked not to the people but to foreign donors to impalement their programmes. These have also alienated the people and created avenues for looting and corruption.

De-democratization is a process where by democracy is used as a cover up for authoritarian rule. Olusegun Obasanjo was not only the person who used this strategy against State Governors. The various state Governors used it in the absolutist control of Local Governments, financially and politically. Local Government Chairmen in turn used it against the communities. In the end, the ordinary people became the victims of de-democratization.

### **Participatory Governance**

Participatory governance is the most effective way to include the people. So far, there are many types and approaches to participatory governance.

First, it allows for community driven projects to be mainstream in policy process. Second, it allows for a variety of people to take part in decision-making processes Third, it allows for peoples ownership in policy making and implementation.

Fourth, it allows for both technical and allocative efficiency (Osmani: 2008: 4). Allocative efficiency entails who allocates projects and how projects are allocated, is it by politicians and bureaucrats alone or it entails the people? Allowing bureaucrats to use so-called expertise to exclude the people can lead to many dangerous, if not selfish and insensitive projects being implemented. It can also lead to misleading information/justification being provided for execution of such projects. Technical efficiency entails success in ensuring that resources are allocated in accordance with what the community prefers. It also overcomes information asymmetry which is common with the top-bottom, one-way approach to decision-making. Additionally, it overcomes the "hidden information" problem, whereby those politicians and bureaucrats who take decision, do not have the full information on an issue before making such decision. Here, the community is able to avail all the information needed and prevent wrong decision from being taken. It also avoids the problem of "hidden action" this results from information asymmetry. As a result of the fact that there is precise and concise information to act upon, it then becomes difficult for action taken on a project to be faulty. Because the process is participatory, it allows for "peer monitoring", which overcomes the issue/complaint of negligence. Peer monitoring also ensures inclusiveness, and accountability in financial use and public service delivery. It also ensures efficient outcomes.

Accountability results in many outcomes including: 1.Efficiency and equity.2. Protection of the weak and marginalized, elite vs. mass decision making: empowerment vs. disempowerment. 3.. Empowerment. 4. Development of social capital both bonding (tie people of same social status) and bridging that (closes gap between social classes.5.. Participation: both expansion and empowerment of social capital-lead to efficiency and equity of outcomes

Participation often varies in scope and intensity and is effective, depending on the stage of policy cycle in which it is used. What is important is whether it leads to efficiency in outcomes. Institutional and social contexts also determine the quality of participation such as: the manpower of officers and their personal disposition, the structures and offices created to handle specific tasks; the number and quality of people involved in decision making; the normative goals to be achieved. The context and specificity of what is to be achieved therefore affects the outcomes and how efficiently it is carried out.

To allow for community participation two things need to be done: Top-bottom decentralization of administration and Bottom –up growth of community. This will allow for inclusive monitoring and evaluation of projects; and accountability in public service delivery. It will allow for participatory management of common property. This will improve cooperation among members of the community. Through community -managed projects tension and conflict will reduce over what was or was not done well, in service delivery. It will also make communities to become aware of the problems of the administration and not engage in undue criticism that is not based on the facts. Its also allows for self-enforcement of rules, without requiring an outside force or body. It may also reduce corruption to a minimum.

### **What should be done?**

1. There is need for constitutional review to grant more political and financial autonomy to local governments
2. Local Governments should review their methodology and seek to incorporate the people in decision making processes. All that is required is the political will.
3. Better means and channels of communications and dialogue with the communities through their organized groups and not merely “government approved” community groups.
4. Community media and information dissemination mechanisms should be created, in that way a symmetrical channels of information flow from the people to the local government and vice versa will be created.
5. Mentoring at the local level should be encouraged for aspiring politicians particularly women and youth aspirants.
6. Training and re-training should be given to local government staff on the meaning and the hows and whys of inclusive/community participation.
7. The facilities and infrastructure of the local governments must be modernized and made efficient and effective.
8. Public service delivery should be the goal of local government officials.
9. Local government programmes and budgets should have the input of the communities and ownership. These programmes should have a high level of social development content such that can benefit majority of the people.
10. Monitoring and Evaluation should be conducted on projects at the community level by experts and community representatives of the people.
11. Justice delivery at local level should be fair to all. Local customary and cultural that oppress the people especially widows, women and youth should be checked, and this will further improve the quality of participation at the local government level.

12. The Nigerian constitution should be explicit about the roles and functions of local governments, including tenure of local government office holders. Quite often Caretaker Committees are used by incumbent Governors or newly sworn in governors who feel that either some local government Chairmen are not from their political parties or may seek to work to undermine their political interests as Governors. To be sure, Local government Chairmen have been treated with utter disrespect by State Governors. But the reasons for this are not farfetched. Hence the Local Government Chairmen also need to reform and be more ethically sensitive to the principle of best practices.
13. Finally, there should be shift in attitudes and mindset at the local government level. Elected representatives need to know that dialogue and consultation are indispensable to their success, just as rebellion does not pay, it will only make the communities ungovernable. And government is supposed to be for the people.

## **Conclusion**

There is a Chinese proverb that states that knowing a problem is to half find the solution to it. I have tried to explain why local governments in Nigeria have not been participatory and accountable practices in local governments in Nigeria. The key problem is lack of political will on the part of those who govern. Since this is the case it behoves the communities to give a push for participatory democracy and an accountable polity. It should be noted that there is difference between Local Government and community governance. Local government officials have been hostile to community governance. However the major way to ensure participatory democracy and accountability is to create an inclusive system that relies heavily on community governance.

It should be stated that community governance is not government by Traditional rulers and their retinue of palace chiefs, *Baales*, *Ezes* and *Hakimis*. Community governance is what takes place at the level of the ordinary people in various localities, how they are coordinating and administering themselves in order to empower themselves through economic, thrift, cultural and health systems to which they are accustomed at the grassroots level. They are using local knowledge and experience of the environment which they have mastered so well to empower themselves. It is in the context of this experience that democracy means a lot to the people. They find democratic means of coordinating themselves holding regular meetings and demanding accountability over the levies and weekly and monthly collections they make. Local Government can benefit immensely from this.

Change should begin with the individual. Mirror yourself and criticize what image you see, before you criticize others-are you accountable? Are you a democrat? Do you tolerate others view point? Each of us must change in our values and attitudes. It is ideas that change society. That change should not be delayed, it must take place NOW. Community governance and participation is possible and it is a sure way of enriching and deepening our democracy.