

# viewpoint



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## A case for 'true' federalism

"Local Government Authority: How Autonomous?", they faulted the argument for local government autonomy.

even if the need arises. It is absurd to legislate local governments in the constitution. Apart from constraining the states, it presupposes that our rural areas can't grow beyond their current state. A few days ago, in a conversation with a member of the National Assembly, I raised the issue of listing local governments in the constitution. He agreed it was an anomaly, but one that we have to live with. Why do we have to live with this anomaly when we can change it?

Why have we arrogated to the Federal Government the power to create local governments in the states? Why have we given the Federal Government the power to give money to local governments? It is this unregulated power that has created the twisted logic that makes it possible, for example, for Kano State to have 44 local governments while Lagos has 20. It is bad enough that the constitution stipulates a system of local government administration, it is retrogressive to dictate the number of local governments states should have.

Clearly, the whole talk about local government autonomy is sophisticated BS. These local governments were not created to bring governance to the rural population but as a means of sharing the national cake.

Moving forward, we must make our states the centre of development. States in Nigeria were created depending on the whims of the military regime in power. It is unfortunate that because the military created these states, they have remained dependent entities that go cap in hand every month to the centre for sustenance.

States should be allowed to create the number of local governments, local council development areas or any other name they want to call it as it suits them. They should decide the structure of these councils and how they would be run. They should run their law enforcement (police), subject, of course, to the Nigeria Police in inter-state crimes and federal offences.

It means also that state Houses of Assembly

would have to fashion out rules for election in each state. I know our apostles of autonomy for local government would rise in righteous indignation. They would argue that state governors can't be trusted to do the right thing in their states. But it is clear that because we have lived under the military for the better part of our independence, we are willing to replace the so-called tyranny of the state with that of an overbearing Federal Government. We have forgotten that we are a Federal Republic.

Agreed that some state governors have not managed their states well, but that is not a case for granting autonomy to local governments outside the powers of the states. Unlike the United States of America and Canada, for example, where the states (USA) and provinces (Canada) were independent entities before they joined their different unions or were bought as the case may be, our own states are the arbitrary creation of the military and they have ever since acted as appendages of the Federal Government.

Rather than clamouring for local government autonomy, we should be talking about "independence" for the states and how the states can contribute to the centre. Every state in Nigeria today is viable. But because we have created a monstrosity in Abuja that is set to consume all of us, we have denied the states control of their resources and prevented them from taking responsibility for their own sustenance and development.

The issue of local government autonomy challenges our democracy and nationhood. Now is the time to tackle it frontally. Now is the time to unbundle the Federal Government. Our federalism is a fraud and its fraudulent structure feeds much of the problems Nigerians have to contend with every day.

If we want to create a more perfect union, as Americans say, we should go beyond the current hysteria and think seriously about renegotiating Nigeria.

**N**O topic has generated as much interest in the ongoing bogus constitution amendment process as the issue of local government autonomy. That we have embarked on wholesale amendment 14 years after we were handed a constitution by the military high command is a measure of the instability in the polity.

A constitution or the process of constitution making is not a joke and no nation desirous of making progress should treat it as such. In Nigeria, once you have a new majority (military or civilian), it fancies the need for a "new" constitution. What this tells us is that we need a constitution of "we the people" that will be the necessary outcome of a conference based on the sovereign will of Nigerians.

Autonomy, like independence, is a fancy word; one that everybody wants to identify with. It is understandable, therefore, if you ask most Nigerians whether they support local government autonomy as being canvassed in the current constitution amendment, they would answer in the affirmative. Unfortunately, in the opinion of this tyrannical majority whose voices appear dominant, anybody who has a contrary view is not a democrat.

Of course, there is a strong case to be made for local governments. Local governments are closest to the majority of Nigerians and are in a vantage position to cater to the needs of our rural population. However, in the context of federalism, autonomy for local governments ought to be defined by states and not the Federal Government.

A few weeks ago, the Governor of Osun State, Rauf Aregbesola, and Prof. Itse Sagay (SAN) stirred up a hornet's nest with their intervention on the autonomy debate. At the second edition of the National Public Discourse, with the theme,

Aregbesola made a point which should be obvious to the proponents of local government autonomy which is that the federating units in Nigeria are the states and the centre. "The states are federating units, while the local governments are merely administrative units, centres of development in the states. Local government must not be seen as anything outside the total authority of the states," Aregbesola said.

According to Sagay, "Every state should create, fund and run local government as they deem fit. Why should we even have a Federation Account? Why not Federal Government account and state government accounts? Why can't a state decide the structure it wants to run for its local governments? How can the National Assembly dream that the Independent National Electoral Commission should start conducting local government elections? They say it is because the state governments are rigging the local government elections. Then I ask: Is the Federal Government not rigging the election conducted by INEC?" These are pertinent questions.

Both Aregbesola and Sagay have been criticised for their position. Unfortunately, their traducers refuse to see the bigger picture. I think the issue of local government autonomy is driven more by hysteria than commonsense. When you ask why they support local government autonomy, proponents point to the constitution; the same dubious constitution given to us by the military in 1999. It is important to note that the country went through Abacha's transition which was completed by Gen. Abdulsalami Abubakar without the electorate seeing this constitution.

The constitution lists 774 local governments, effectively putting an end to development at the local level because it is unlikely that a civilian government can create new local governments