

Parliamentary System of Local Government in Osun State Nigeria: A Swot Analysis

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Abstract

The study examines the introduction of a parliamentary system of local government in Osun state, Nigeria to replace the presidential system that was on the ground. Nigeria is still in the process of searching for a workable and effective grassroots administration and development strategy that will cater to the yearning and aspiration of the populace in achieving their goals. The parliamentary system of local government in Osun state was appraised on the grounds of its strengths, weaknesses, opportunities, and threats (SWOT Analysis). The paper concludes and recommends that in the process of searching for a workable and effective grassroots administration and development strategy, there is need to take into consideration the adopted type of government, which must have a direct impact and meet the yearning and aspiration of the people.

Key words: Parliamentary system; Presidential system; Local government; Development

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INTRODUCTION

Largely, there is a consensus about the ways and means the government needs to be organized in the world over. The Presidential and Parliamentary systems of government appear to be a more accepted means of

governance. Anyebe (2016), attest to the fact that there are two universally acclaimed systems of organizing the government of countries, which are the Parliamentary or West minister model and the Presidential system of government. Osaghae (2017) also asserts that there are basically, two systems of government, namely, Presidential and Parliamentary. Although the two systems of government can be differentiated on a number of grounds, the most fundamental difference derives from the manner in which relations among the branches or organs of government, especially between the executive and legislature. A country may adopt either of the two and modify it to suit its local peculiarities. For instance, Nigeria practiced Parliamentary Westminster system of government inherited from British colonialist until the military coup of 1966. However, the inception of the Second Republic in 1979 witnessed the introduction of the presidential system of government.

It is also pertinent to note that the utility of historical analysis is to comprehend the present by studying the past in order to achieve greater strength to alter future reality. The history of local government in Nigeria has been turbulent and it has been that of trial and error. The experimental momentum which dates back colonial era, post-colonization, military regime, up until the present fourth republic. Nigeria has been and is still in search of a workable and effective grassroots administration and development strategy commonly referred to as local government administration. Adeyemo (1995) opines that the adoption of any type of government must have a direct relationship with the circumstances of the environment and the best government is that which meets the yearning and aspiration of the people. The adoption and introduction of Presidential system at the Local Government level across the nation, dated to 1991, and it replaced the existing structures of Parliamentary system. One of the major justifications for replacing the Parliamentary system with the Presidential system at

the local level is for uniformity in structure at all tiers of government.

The introduction of presidential constitutions of 1979 and 1989 had recognized local government as the third tier of government, yet the presidential system was eluding the local government. The federal and state governments observed the presidential system while the local government was isolated to the parliamentary system. This made the Babangida administration as the head of state to implement the presidential system of government at the local government level in May 1991 across the nation. In recent times, there has been a debate over the felicity of the presidential system at the local level, and, in fact, whether the parliamentary system which some consider being better to local governance is more suitable and workable.

The 1999 constitution of the Federal Republic of Nigeria guarantees a system of local government run by a democratically elected council and requires all the state governments to enact legislation providing for the establishment, structure, composition, finance, and functions of such local government councils. This provision placed the structure, composition, finance, and functions of local government at the mercy of state legislation. Therefore, the various state governments adopted the presidential system of administration until recently when the parliamentary system was re-introduced in Osun State among other states of the federation. This calls for attention, to peruse the relevance or otherwise of this new policy. The paper intends to look at the strength, weakness, opportunity, and threats of this new policy in Osun State Local Government system using a SWOT analysis. The paper is divided into six parts. Part one is an introduction, part two examines the parliamentary system of government, part three discuss the presidential system of government, part four examines the parliamentary system of local government in Nigeria, part five analyses the parliamentary system of local government in Osun State and the last part is the conclusion, and recommendations on how to ensure a strong local government structure that will meet the yearning and aspiration of the people at the grassroots.

THE PARLIAMENTARY SYSTEM OF GOVERNMENT

Rasch (2011) defined a parliamentary system of government as a government in which the members of a legislative body determine the formation of the cabinet (the executive) and in which any majority of the legislature at almost any time may vote the cabinet out of office. Okoli & Okoli (1990), defined parliamentary or west-mister system of government as a government that is made up of the head of state (Prime Minister, Chancellor or Premier, or any other title), and his ministers appointed by the

President on the advice of the Prime minister that holds executive power of the state.

The prime minister holds the full executive power, while the office of the President or Governor-General is a ceremonial position. In another dimension, however, Crossman (1972), Abonyi (2006) and Anifowose (2008) classified the democratic model of governance into two categories i.e. parliamentary and presidential system. Crossman (1972) viewed the parliamentary system of government like the one run by a cabinet under the leadership of the Prime Minister. The Head of State is a nominal executive in whose name governance is done by the cabinet. Accordingly, Anifowose (2008) noted that in a parliamentary system, the executive is chosen from among members of the Parliament and holding office as long as it commands the majority in that parliament.

This cabinet serves as the link between the executive (to which they belong) and the parliament (to which they also belong). The prime minister presides over the cabinet, and he is the leader of the party with the majority of members in parliament, which gives him the advantage to get his policies approved by parliament (Ikelegbe, 1988). The prime minister remains in office for as long he enjoys the support of a majority in the parliament, and the moment the members of parliament withdraw their support from the prime minister, it means that the government is defeated and the prime minister must resign from office (Asia, 2000).

Adigwe (1979) also observed that once the prime minister dies or resigns, his cabinet also resigns with him. The emergence of a new prime minister will result in the formation of a new executive cabinet. It is also imperative to state that no policy of government can be carried out without the support of the prime minister and this is because he holds the executive power and selects his cabinet. Harris (1978) opines that one of the essential features of a parliamentary system of government is its close relationship with the parliament. The parliament makes the law and the parliamentary executive, made up of the Prime Minister and his cabinet who are also members of parliament, implements the law. The parliament makes the law and out of these parliaments, the executive is formed which implement the laws made by the parliament, therefore there exist a close and interwoven relationship.

THE PRESIDENTIAL SYSTEM OF GOVERNMENT

The presidential form of government evolved first in the United States of America. The President is the real executive. He is neither a member of the legislature nor removable by it except by impeachment on the ground of bribery, treason, or other high crimes and misdemeanors (Smith, 2010). Idahosa and Ekpekedede (1995) defined

a presidential system of government as a form of government in which the president is the head of state and the chief executive officer of the nation that is elected for a fixed term. The president is the Commander-in-Chief of the Armed Forces, he appoints his ministers and other federal officers for the smooth running of government but the ministerial (political), and public officers must be approved by the central legislature.

Once an elected member of the state or central legislature is appointed a minister or commissioner at the federal or state level (respectively) the appointee must resign his/her position as a legislature's member (Okoli & Okoli, 1990). The presidential system of government has some certain characteristics, which include;

- * An elected president (and vice president) who headed the executive with a wide range of powers.

- * Separation of powers between the executive, legislature and judiciary.

- * System of checks and balances.

- * Fixed tenure in office.

Samuels and Eaton (2002) enunciated three important features of the presidential system of government. First, are the separate origin and survival of executive and legislative branches. The second feature is a constitutionally guaranteed executive authority to execute the laws which imply that one branch (legislature) makes the laws, the other (executive) implements them. The third feature is the Chief executive's control over the cabinet. This feature stems from the power of the President to select his ministers without restriction. The ministers are responsible to him and not to the legislature, thus he has power over the cabinet (Idahosa & Ekpekurede, 1995).

THE PARLIAMENTARY SYSTEM OF LOCAL GOVERNMENT IN NIGERIA

In Nigeria, Government after Government tried to wrestle with the problem of structuring local government toward sustainable development. There is no doubt, that democratically elected local government could be a presidential or parliamentary system, depending on the State House of Assembly legislation. In the absence of democratic elected structure at the local government, what we have are the appointment of Sole Administrators, Caretaker Committee, Council Manager, Management Committee, etc., which negate the provision of Sec. 7(1) of the 1999 constitution of the federal republic of Nigeria that guaranteed democratically elected local government.

The parliamentary system of local government in Nigeria could be traced to the demise of the obnoxious indirect rule system and the beginning of modern local government system in the 1950s. The actual democratization of local government on the parliamentary system was evident during this period especially in the eastern and western part of Nigeria. Adamolekun,

Olowu & Laleyo (1988) observes that the British had contemplated using local government as a training basis for parliamentary democracy in Nigeria. Since, the parliamentary system of government was in practice at the national and regional, also needed at the local level, to serve as a training ground for national politics. By making such apprenticeship possible, local governments provide political education to parliamentarians, party leadership and the citizenry as a whole (Okon, 2006).

Even, after Nigeria independence in 1960, the parliamentary system of local government continued in various regions. In 1976 and 1977-1987, also witnessed the introduction of Zero-party system on option A4 (Open/Secret Ballot System) under a parliamentary system of local governance. It was evident that most of the local government elections conducted under the military regimes were more of the parliamentary system, until 1991 when the presidential system was introduced and December 5th, 1998 general elections that witnessed the same. Afterward, the ambiguities and contradictions in the provision of the 1999 constitution on local government did not help the matters, the bitter struggle on who control local government between federal and state government was at its peak, the problem of inefficiency and high cost of governance at the third tiers of government was conspicuous. These, among others in 2003 led to the formation of a technical committee on the review of the structure of local government in Nigeria by the federal government.

One of the major recommendations of this committee was the reintroduction of the parliamentary system, in view of what is considered the expensive and wasteful nature of the presidential system (Osaghae, 2017). Much more, beyond the technical committee recommendations, different forums have been clamoring for the reinstatement of the parliamentary system, which is seen to be more suitable. It is also surmised that pluralistic and consensual nature of the parliamentary system would help to curb the excesses of Executive Chairman and other powerful chieftains at the local level in a presidential system. In tandem with above narrative and the introduction of the parliamentary system of local government in Osun state has created a justification to peruse and analyze its strength, weakness, opportunity, and the threat that likely surface with this new system.

The major highlights in the parliamentary system of local government are as follows:

- Every councilor is first elected from each ward to council as a legislator
- The councilors, in turn, appoint or select a chairman to head the council within themselves from the majority party in the council
- The chairman appoints his supervisory councilors from among council members
- The chairman, his supervisory councilors and other councilors are all legislators

- The chairman and his supervisory councilors are however the only members of the executive council (Finance and General Purposes Committee - F&GPC).
- The chairman and his supervisory councilors play both executive and legislative role

THE STRUCTURE OF THE PARLIAMENTARY SYSTEM OF LOCAL GOVERNMENT IN OSUN STATE

The parliament makes the law and out of these parliaments, the executive are forms, which implements the laws made by the parliament. The 2018 Guidelines for the Administration of Local Government Areas, Local Development Council Development Areas, Areas Councils and Administrative Offices in the State of Osun stipulated clearly that the Executive Committee comprises of Chairman and Vice-Chairman, who shall be chosen among the elected councilors. The appointment of Supervisors to cogent departments shall also be chosen among the elected councilors with the recommendation from the Chairman and approved by the council. In addition, the Chairman has the mandate to appoint some others executive members

SWOT Analysis

STRENGTHS

- It reduces the cost of governance.
- It encourages equal representation.
- It encourages equal and even development, especially from each ward, community or hamlet.
- It encourages competence especially in selecting or appointing the cabinet.
- There exists a close and interwoven relationship because the lawmakers and the executive are formed from the members of parliament.

OPPORTUNITIES

- There can be a vote of no confidence in the cabinet.
- It creates opportunities to change the leadership of the cabinet anytime, the council members deem it fit.
- The plurality of membership reduces the dangers of abuse of power.
- It can reduce and address the issue of political marginalization that occurs in different communities especially on the issue of who becomes local government chairperson.
- It allows for a variety of leadership to emerge especially at the executive level.

CONCLUSION AND RECOMMENDATIONS

In conclusion, this paper attempted to analyze the strengths, weaknesses, opportunities, and threats in the introduction of a parliamentary system of local government, particularly in Osun state Nigeria. Though the advocacy for replacement of presidential with the

outside the elected councilors which include: the Scribe (Secretary) to the Local Government; Secretary for Youths, Market and Sanitation; Secretary for Women and Children Affairs; and Special Advisers, with the approval of the council. Moreover, the Council-Manager, which is the most senior officer in the local government, shall also attend the executive committee meeting in an advisory capacity without voting right.

The Scribe (Secretary) to the Local Government serves as the Secretary of the meetings of Executive Committee and other Standing Committee, coordinate the activities in various departments, liaise with all necessary State functionaries on State-Local relations, and perform other duties assigned by the Chairman. The Secretary for Youths, Market and Sanitation serve as a member of the Executive Committee and be in charge matters affecting Youths, Markets and Sanitation while Secretary for Women and Children Affairs also serve as a member of Executive Committee and in charge of matters affecting Women and Children. The Special Advisers are also appointed outside the elected councilors, whose number shall not be more than two. They also serve as a member of the Executive Committee but without voting right.

WEAKNESSES

- Those that make laws are also the ones who enforce it.
- It contrasted to the separation of power.
- Member of the cabinet is collectively responsible and accountable to parliament.
- The position of Chairman and Vice Chairman are elected or selected among the council members to form an executive cabinet.
- The secretary is not a member of elected councilors but appointed by various local government chairpersons with the approval of the state government.

THREATS

- It negates the principle of separation of power.
- The legislature constitutes the soul of government.
- The constituency or ward of the Chairman and Vice Chairman might be deprived of adequate representation because they are not always at the sitting of the parliaments.
- It also bluffs the uniformity of local government guaranteed by 1976 local government reforms.

parliamentary system at the local government level cannot be overemphasized, and cost of governance are expected to reduce so as to bring about the necessary development to the people at the grassroots. The adoption of the parliamentary system of government at the local level should not only be based on the ground that it would reduce the cost of governance but it should be able to cater

to the downtrodden in each locality because of the closer the government to the people, the more development supposed to be at the grassroots.

It is also pertinent for the state government to intentionally and purportedly encourage the viability of local government in their domain. The yearning and aspiration of the populace from the government cannot be attained in the environment where there is no adequate funding, therefore the local government should be able to enjoy fiscal autonomy so as to be able to meet the yearning and aspiration of the populace.

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