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Patterns of Decision Making in Urban Local Governance

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Acronyms

CDA	Community Development Association
CDU	Community Development Union
FMWR	Federal Ministry of Water Resources
RUWASA	Rural Water Supply and Sanitation Agency
SDGs	Sustainable Development Goals

Introduction

An efficient urban local governance system is central to achieving inclusive and sustainable urban service delivery and, by extension, the New Urban Agenda and the Sustainable Development Goals (SDGs) (Agunbiade & Olajide, 2016). Local governments are generally modelled to serve three purposes. First, they are a mechanism for democratic participation and inclusive governance. Second, they are an essential tool for providing municipal services, including social services and basic infrastructure. Third, they are a tool for national development and a medium through which ordinary people can share in the national wealth (Osasona, 2015).

However, despite being recognized in the 1999 Constitution, the Nigerian local government system is generally plagued by gross inefficiency and often incapable of achieving the goals of its establishment. Largely to blame is the usurpation of local government functions by the fiscal control of state governments, which leaves local governments across the country commonly functioning as mere administrative extensions of state governments (Khemani, 2001, p. 24). The Constitution makes both local and state governments responsible for the provision of basic services, with no clear legal delineation of the relative roles of these two sub-national tiers of government.

The lack of municipal capacity has meant that local communities often find themselves stepping in to provide ground-level governance structures to ensure that basic services are provided, even if under sub-optimal conditions (Lawanson et al., 2021). They do this through their community development associations and/or traditional institutions. The three case study communities in this series amplify this profoundly, especially with regards to urban water provision – a key deliverable of the SDGs.

Kano, Onitsha and Lagos are major Nigerian cities and commercial hubs. Their high migration and urbanization rates bring extensive infrastructure deficits, manifesting as a vast array of informal settlements lacking basic infrastructure. In these cities, we can see the realities of local governance processes and structures at the local community level and how various stakeholders attempt to negotiate both the complex water-provision process and endemic power structures.

Municipal Water Governance in Nigerian Cities

Even though Nigeria is considered to be abundantly blessed with water resources (Federal Ministry of Water Resources, 2016), statistics show that the country is not on target to meet SDG Goal 6: *“Ensure availability and sustainable management of water and sanitation for all”* (FMWR et al., 2020). Under the 2000 National Water Supply and Sanitation policy, access to potable water supply and decent sanitation is the right of all Nigerians and all levels of government are responsible for enforcing this right.

At the federal level, the Federal Ministry of Water Resources (FMWR) is responsible for formulating and coordinating national water policies, managing water resources through dams and river-basin authorities and approving development projects. At the state level, responsibility for potable water supply falls on the 37 autonomous state water agencies and state water boards. These agencies – in collaboration with the 22 rural water and sanitation agencies established across Nigeria to implement Federal Government/UNICEF rural water projects – are responsible for the establishment, operation, quality control and maintenance of urban and peri-urban

water supply systems, the licensing and monitoring of private water suppliers and providing technical assistance to local governments. The 774 local government authorities are responsible for providing community-level water supply and sanitation facilities in their areas, as well as establishing, equipping and funding environmental sanitation departments.

There is also high dependence on non-state actors. These include prominent international development partners, funding agencies and civil society/non-governmental organizations. Examples include the African Development Bank Group and the World Bank, UNICEF, USAID, DFID and WaterAid. Less recognized actors are the media workers of the WASH Journalists Network, who advocate against full commercialization of the water sector, and the several local NGOs, philanthropic organizations and informal (traditional) governance institutions that support local communities in self-provisioning basic services.



“Despite several regulations, roadmaps, programmes and extensive investments, about 55 million Nigerians still do not have access to improved water sources, while 110 million Nigerians lack decent toilet facilities.”



There are significant gaps between government policies to provide improved water and sanitation services and the experiences of many Nigerians. Despite several regulations, roadmaps, programmes and extensive investments (Hoffman & Lawanson, 2017), about 55 million Nigerians still do not have access to improved water sources, while 110 million Nigerians lack decent toilet facilities (FMWR et al., 2020). In 2000, about 80% of government-owned water systems, especially in small towns, are also non-operational (Federal Republic of Nigeria, 2000). As at 2010, the World Bank stated that water production facilities in Nigeria were *“rarely operated to capacity due to broken down equipment, or lack of power or fuel for pumping. Given the health risks amplified by the COVID-19 pandemic in more recent times, this situation is especially dire, heightening the urgency to understand how the responsibilities for municipal service provision are shared and/or negotiated between government institutions and other stakeholders and the effect of this on the vulnerable under-served low-income communities that make up the urban majority”* (Wahab, 2017).

Community-based associations – variously called community development associations (CDAs), community development unions (CDUs) and residents’ associations – are the main providers of basic services in today’s Nigeria, stepping in to bridge the yawning public service gaps.

In some cases, they collaborate with local governments and other institutional actors. More often, they operate in spite of them. In Lagos, for example, some CDAs pool resources to build primary healthcare centres and then invite the state ministry of health to provide personnel and equipment (Lawanson, 2015). In Anambra, Oyo and even Lagos, CDAs collect monthly dues from residents to provide private security for their communities. The three case-study communities in this series also highlight how community agency is deployed in the provision of a basic service like water.

Navigating Governance Structures in the Quest for Improved Water

The water sector is a highly politicized environment, with recurrent tensions between those who see water as a commodity and those who see it as a public good (Hoffman & Lawanson, 2017). At the national policy level, for example, there are contradictions: the National Water Supply and Sanitation Policy of 2000 recognizes water as a public good and proposes multi-level governance structures for service delivery in line with relevant international declarations whilst the Water Resources Decree/Act of 1993/2004 puts Nigeria's water resources exclusively in the control of the federal government, recognizes water as an economic good and promotes the complete commercialization of the water sector.

The overarching influence of international development organizations, whose interventions are largely driven by neoliberal philosophies, is evident at the sub-national level where state water policies favour private-sector participation (Acey, 2019). Since Nigeria adopted this neoliberal approach to governance in the 1980s (Adewusi, 2018), these privatization policies have strained the obligations of the state to its citizens – essentially outsourcing government responsibilities to profit-oriented entities. Consequently, the social needs of Nigerian citizens, especially the poor and vulnerable, have been neglected (Olanema, n.d.), as we see in Lagos, Ibadan, Onitsha and other cities. Regrettably, this outsourcing of governance also manifests in other critical sectors because public authorities have been unwilling and/or unable to install rights-based political and economic systems that promote state-building and sustainable development (Hoffman & Lawanson, 2017; Adewusi, 2018).

At the municipal level, where access to basic infrastructure (including water) is essential, local communities have experienced both negative and positive interfaces with public agencies. They access water through sources ranging from public networks to commercial operators and water-as-a-gift. However, major shortfalls remain in accessibility, affordability, availability and quality.

In Kano State, there are significant interactions between various government agencies, philanthropic organizations and residents. The Water Resources Engineering and Construction Agency constructs and maintains water-treatment plants and supplies water to the Kano State Water Board, whose tanks deliver to the metropolis and peri-urban areas of Kano city. The Rural Water Supply and Sanitation Agency (RUWASA) is responsible for supplying small towns and villages, focusing on sinking wells and constructing boreholes. In the city, commercial operators selling private borehole and sachet water bridge public-service gaps, while philanthropic organizations donate handpump boreholes to schools, mosques and selected communities. Interestingly, given the limited financial and technical capacities of the six local governments that make up Greater Kano, CDAs often facilitate these commercial and philanthropic water interventions.

Even though Lagos has 11 public agencies governing the water sector (Hoffman & Lawanson, 2017), only 44% of the state is covered by the public infrastructure network, with less than 16% of the population served by the Lagos Water Corporation (Chiori, 2018). Local communities therefore access water through various sources, including commercial boreholes, water vendors (tankers, cart pushers, sachet water) and donated water from local politicians, philanthropic and faith-based organizations, as well as government-supported programmes. The Lagos Metropolitan Development and Governance Project and the National Assembly’s Millennium Development Goals constituency water projects of the 2000s targeted informal communities specifically. These projects provided boreholes, overhead tanks, electricity generators and localized public standpipes. However, many of them failed because they were initiated and implemented without the involvement of beneficiary communities (Udo-Udoma, 2014). In some communities, access to public water is a function of gender, ethnicity, political affiliation and even propensity for violence (Hoffman & Lawanson, 2017). As the CDAs and traditional governance institutions – Baales and local chiefs – are not able to organize effectively for water provision, commercial borehole operators remain the dominant provider of water, as seen in Otumara, one of the case studies in this report.

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The Anambra State Water Corporation has the primary responsibility for providing water to the Onitsha Metropolis. However, the corporation has been moribund for over a decade, with the facilities of the Greater Onitsha Water Scheme swallowed up by erosion and landslides, while the Anambra State RUWASA has been plagued by major constraints in planning, public participation and project implementation (U-Dominic et al., 2014). There has been no spirited government action to address these gaps, and residents have resorted to providing their own water through rainwater harvesting, private and commercial boreholes and surface wells (Ezenwaji & Eduputa, 2016), which have since been found to be of poor quality and hazardous to both environmental and human health (Olugboye & Hayes, 2011). In local communities such as Okpoko, the largest slum in Onitsha, CDU water committees have successfully implemented water-governance

frameworks that resulted in the installation of communal wells, handpumps and water points, the training of local artisans and the establishment of a credit line with a micro-finance set-up to facilitate the expansion of the water distribution network.

In Kano, Lagos and Onitsha, it is apparent that local communities are marginalized in the provision of urban basic services, public water infrastructure is inadequate and of poor quality, and local community agency is often deployed to bridge these gaps. A lack of recognition of the community's role in the provision and maintenance of public facilities is also apparent.

Gender and Property Dimensions in Urban Water Governance

Traditional gender roles in Nigeria assign the task of fetching household water mostly to women and female children (Acey, 2010). Thus, they may be considered primary stakeholders in the municipal water sector. While women are more dominant in the water-vending (pure water) business, men dominate the better paying water-tanker and commercial borehole operations.

Due to the endemic patriarchal order, women in Nigeria have limited representation and participation in community-level governance structures, including those related to water provision. For example, women are not significantly represented in the CDAs or water committees in Onitsha. In Kano, women are active in the CDAs but rarely occupy leadership positions, and so are not well placed to influence decisions regarding water. In Lagos, as in many other cities, influence is often determined by property status, and women who own property and/or boreholes are key decision-makers in water-related community affairs.

The complex relationship between property owners and tenants is frequently overlooked in water and sanitation issues. In many cases, absentee landlords wield more influence than resident tenants. Evidence from some low-income communities in Lagos (Hoffman & Lawanson, 2017) shows that landlords' relations with tenants are driven by multiple motives. Some (usually resident) landlords demonstrate benevolent behaviour towards their tenants by providing improved water and sanitation facilities and contributing to community efforts while others, who are mainly driven by personal gain, neither provide household facilities nor contribute financially to community efforts.

Conclusion: Towards Better Urban Futures

Today, Nigeria has an infrastructure stock of 25% of GDP, far below the 70% international benchmark (CSL Research, 2020). Much of the deficit is borne by informal systems provided through communal efforts. Considering the impact that access to improved water has on issues such as public health, safety and security, land rights and community cohesion, and given the myriad ways people access water across the spectrum of public, private, commercial, community-driven and benevolent sources, it is reasonable to develop a community-driven water and sanitation strategy that recognizes these pathways in a mutually reinforcing manner. The community-driven approaches are often championed by volunteers, with the residents contributing financially and otherwise to the maintenance of the projects.

In order to strengthen basic service delivery at this level, therefore, the following strategies are recommended. These are not only relevant for enhancing access to water but also for improving access to any municipal service at the local level:

1. Public institutions need to modify their policies and implementation approaches. The neoliberal governance ideology which promotes water as an economic commodity is not yielding good results, while a more pragmatic, decentralized and communal approach that promotes water as a social good can be shown to be more productive and impactful.
2. An empowered local government is a major fulcrum for sustainable urban development. Therefore, extensive local-government reforms are required. These range from implementing the constitutional/financial autonomy of the system to prioritizing technical and financial capacity development at that level.
3. Low-income communities need to be recognized and integrated into the process of finding effective solutions to local infrastructure challenges. In the absence of adequate public service provision, local communities have collaboratively developed their own mechanisms and practices to meet individual and collective needs. These should be considered in any future intervention at that scale. Developing a sustainability plan that integrates indigenous or local knowledge and innate community spirit can, to a large extent, contribute to the provision of sustainable services in these communities.
4. Explore the potential of developing community-based social entrepreneurship structures in the water sector. The ability of these to improve livelihoods along with local water supply and sanitation services should be explored beyond the current ad-hoc arrangements where CDAs reactively rise to bridge public service gaps. They can ensure that improved services are provided, that the funds raised from the service are ploughed back to improving the service within the community, and that the services are priced appropriately rather than for maximum profit.
5. Enhance the representation and active participation of women in the water-governance framework. As they are major stakeholders in the water sector, their marginalization is a hindrance to finding the best solutions.
6. Social inclusion strategies should be embraced and the interests of all stakeholders considered. For example, when designing and/or developing policies and programmes, it is important to consider the opinions and particular needs of property owners and tenants, men and women, able-bodied and physically challenged persons, etc.
7. Well-resourced programmes are needed to support a collaborative approach to municipal development. Such an approach needs to build and utilize the skills required to bring together all actors in the water sector to contribute effectively. Actors include politicians, state water agencies, local government officials, businesses, philanthropic organizations, civil society groups and local communities.

Both quantitative research and case-study evidence suggest that sustainable development in Nigerian cities will remain a mirage if intentional action is not taken to integrate local community agency into the planning and implementation of municipal level basic service delivery.

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