

LOCAL GOVERNMENT AND THE SUSTENANCE OF DEMOCRACY IN NIGERIA**OGOMA, DANIEL EBUN***DIRECTORATE OF UNIVERSITY WIDE COURSES,**LANDMARK UNIVERSITY,**PMB 1001, OMU-ARAN,**KWARA STATE, NIGERIA.**PHONE: +2347064339600, +2349068684677.**E-MAIL: ogomadan@yahoo.com.***ABSTRACT**

Democracy is supposedly the best system of government of all the systems of government in the history of mankind. Where it is fully in practice, the system promotes human development, dignity of man, freedom and liberty, equality and justice, among others. Nigeria is one of the countries that lay claims to the practice of democracy. However, the system as it is practiced in the country then and now, has not really lived up to the expectations of the general populace. This paper argued that democracy failed in Nigeria because, an essential tier of government, the Local Government, has been rendered ineffective not only by the other tiers of government, that is, federal and state governments, but also, by the constitutions of Nigeria. It x-rayed the evolution of Local Government in Nigeria, its importance and functions, showed the factors that rendered it ineffective, and concluded by way of suggestions on how the tier of government be run efficiently so as to dampen and sustain democracy in the country. It applied secondary method of data collection and it is analysed qualitatively.

KEYWORDS: DEMOCRACY, LOCAL, STATE, FEDERALISM, GRASS-ROOTS, CONSTITUTION

Introduction

Democracy as a system of government allows people to participate in the administration of states, either directly or indirectly. According to Shively (2001;151): “A democracy is a regime in which all fully qualified citizens vote at regular intervals to choose, from among alternative

candidates, the people who will be in charge of setting the state's policies." It is called a government of the people, by the people and for the people. In a large and heterogeneous state, efforts are made to bring government closer to the people so as to enhance to goal of grass-roots participation. One of the ways to ensure that a government is a government of the people is the invention of a federal system of government, an arrangement in which powers are shared by levels of government. In his *Federal Government*, K.C. Wheare (1963) writes that an essential feature of federalism is division and sharing of powers among different governments in the state in a coordinated manner. According to him: "By the federal principle, I mean the method of dividing powers so that general and regional governments are each within a sphere, coordinate and independent." (1963;10)

In some federal states, there are two levels of governments, but in many, there are three levels of government. But, it is not the number of the levels of government that is crucial to the practice of federalism. One important mark that differentiates a federal state from a unitary state is the constitutional divisions of powers among the levels of government in a federal state. As a matter of fact, a unitary state can have levels of government but the source of power of the other levels of government is the general or central government.

Nigeria formally became a federal state by the virtue of the 1954 Constitution. Since then, apart from the short period between January and July, 1966, efforts have been made to improve on the federal system in the country. As at present, Nigeria has three tiers or layers of government; federal, state and local. Each of these levels of government has its own allotted powers and functions. Like every other human organization, it also has its own peculiar problems that has rendered it inefficient. The focus of this work is on the third tier of government in Nigeria, that is, the Local Government. Local Government system in Nigeria has been grossly inefficient and ineffective to the extent that it has almost lost its relevance as a government of the people at the local level. The inefficiency and the vintage position of local government as a way of enhancing a government of the people by the people and for the people has continued to agitate the minds of scholars in the country to the extent that they continually produce works on it, analyzing the root causes of the problems and suggesting ways of solving the problems. This paper builds on the existing works on the issue, identifying the Nigerian constitutions of 1979 and 1999, and the state governments as the main causes of the problems of local government administration in the country,

and provides solutions to the problems. The paper is divided into sections. Section one deals with the meaning and importance of local government. Section two deals with the development of local government in Nigeria. The third section discusses the various local government reforms in Nigeria, especially, the 1976 reform. The fourth section deals with the place of local government in Nigeria and argues that the Nigerian constitutions of 1979 and 1999 as well as the state government are the key factors that are responsible for the near moribund of local government in Nigeria. The last section makes recommendations on how local governments can be efficient and effective in Nigeria.

Conceptualizing Local Government

Local Government has been variously defined. Some of these definitions are given and reviewed below. The United Nations (1959) defines local government as:

A political subdivision of a nation or (in a federal system) State, which is constituted by law and has substantial control of local affairs including the power to impose taxes or to exact or exact labour for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected

Ugwu (2002) sees Local Government as: “the lowest unit of administration to whose laws and regulations, communities who live in a defined geographical area and with common social and political ties are subject.” For Appadorai (1975): “Local Government is a government by popularly elected bodies charged with administration and executive duties in matters concerning the inhabitants of a particular district or place.” The *Guideline for local Government Reform of 1976* defines Local Government as the:

Government at local level exercised through representative councils established by law to exercise specific powers within defined areas. These powers should give the council substantial control over 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 government in their areas and to ensure, through devolution of functions to these councils and through active participation of the people that initiative and response to local needs and conditions are maximized.

Enemuo (2008) asserts that:

Local government is the lower level of government in a modern state, that is legally distinct, and has powers to raise revenue and undertake assigned responsibilities under a leadership that is elected and answerable to the local population. (Enemuo; 2008, 318)

From these and other similar definitions, some salient points about Local Government are obvious. One, Local Government is a government of the local people by the local people. Two, Local Government has certain power over a particular geography. Three, people that govern Local Government are elected by the people. Four, the elected officials of Local Government are responsible and accountable to the people over which they govern. Five, the people of a Local Government have certain affinities with one another. It is therefore safe to define Local Government as a government created by the law with certain powers and functions, administered by local people for the advancement of the welfare and happiness of local people.

Functions of Local Government

Local Governments are created for certain purposes which include bringing government closer to the people, enhance grass-roots development, decentralization of power and provision of certain peculiar needs (Abe & Omotoso; 2015; 184). As a result, they perform the following functions;

- It assists the central and state governments to carry out certain functions like rural development.
- It brings government closer or nearer to the people.
- It maintains and improve the culture and tradition of the people.
- It serves as a link between the central, state and the local people.

- It assists to educate or enlighten the local people about the policies and programs of the people.
- It helps the federal and the state governments to collect taxes and revenues.
- It acts as a training ground for future leaders,
- It provides and maintains services like water supply, street light, markets, parks, public toilets and banks.
- It helps the law enforcement agents to maintain laws and order.
- It constructs and maintains feeder roads and bridges.
- It provides environmental sanitation and sewage disposal. (Nwankwo; 2002, 172-173)

Enemuo (2008: 318) asserts that Local Government serves as ‘an invaluable sociopolitical laboratory’. By this he means that a policy can be tested at the level of local Government. If it successful, it can be replicated at the federal level, but if it fails, such policy would not continue or be improved upon. The Nigerian constitution also ascribes certain functions to Local Government which included the following:

- Provision and maintenance of primary, adult and vocational education.
- Development of agriculture and natural resources other than the exploration of minerals.
- Provision and maintenance of health services.
- Such other functions as may be conferred on a local government by the House of Assembly of the state. (The 1999 Constitution)

The above and other functions of local government make it an important tier of government in a federal state like Nigeria. Its importance is however dependent on its ability to performs these functions. As it will be shown later in this work, local governments in Nigeria have not lived up to expectation in terms of their performance because of certain problems that this work identifies.

Phases of Local Government in Nigeria.

The history of local government in Nigeria is more or less the history of political development in the country. It is a common tradition among scholars of local government to periodise local government in Nigeria. Commenting on the state of local government in the pre-colonial period, Goddey (2013; 138) averred that there was nothing in place to show that there was

local government in Nigeria as it is known today. According to him; “Before colonialism, communities and ethnic groups devised convenient administrative practices for their internal governance.”. This arrangement should be seen as a kind of local government. Our today is a product of yesterday. In the pre-colonial days, traditional rulers were in charge of the administration of their localities. The major ethnic groups in the country, Hausa/Fulani in the north, the Igbos in the east and the Yoruba in the west, adopted different methods of governing their communities based on their cultures, traditions and religions. In the north, the system of government was highly centralized with the emirs at the apex of the government. In the west, however was a decentralized and constitutional monarchical system of government. The *Obas* in Yorubaland were theoretically so powerful that they were addressed as second in command to God, but, in practice, their powers were limited, as there were checks on their powers. The Igbo in the east had no constituted authorities, hence, their government was described as *acephalous*. Anyanele (2003:124), averred that in the place of recognized traditional rulers, the day to day administration of the Igbo communities were shared by institutions like the village assembly, the council of elders, the Ozo title holders and the age-grade. If local government is a government of the local people by the local people for the local people, these major groups should be deemed to have had a kind of local government.

The British government that took over the administration of Nigeria in the colonial days introduced what Anyanele (2002: 199) calls the Lugardian Native Authority System. Rather than disrupting the existing system of governance, the British government retained the system and improved on it. The traditional institutions were empowered and their functions were mainly that of maintain laws and order in their communities. In the east where there were no recognized traditional rulers, warrant chiefs were appointed. This later led to the famous Aba/Women Riot in 1929. The traditional and warrant chiefs were guided and supervised by British officials. In all, the system has been rightly described as indirect rule. Under this system, the resident officers handed over instructions to the traditional or warrant chiefs who in turn ordered his subjects to do what the British officers wanted them to do without letting them to know that the instructions were from the British officers. Where the traditional rulers were autocratic, as in the case of the north, the system was effective. However, in other places like in Yorubaland and in Igboland where the powers of the rulers were not absolute, the system did not achieve much. It can therefore be said that during the colonial period, local government administrators were not responsible to the people

but answerable only to their colonial masters. This arrangement did not however last long as the non-involvement of the elite in the local administration sparked off criticisms. By 1954, following the promulgation of the Lyttleton Constitution, and the full practice of federalism in Nigeria, each of the regions, that is, north, east and west, passed laws that made them the sole determinants of what happened in their regions, including the establishment, structure, functions and powers of the local government. Majority of the council members were elected and the councils were to a large extent financially autonomous (Igbuzor; 2009)

Local government system did not change vastly during the early period of independence from what it used to be in the later time of the colonial rule in terms of structures and functions. Goddey (2013; 139) noted that the councils during that time were however controlled by the regional political parties to which they were responsible. He cited the examples of the west where elected representatives were dissolved and replaced with loyal members of the ruling party, and in the east, in some places where councils that were ruled by parties other than the party at regional level, were denied certain benefits. The north had its own share of the challenges of the local government system during the period under consideration. Attempts by Abubakar Tafawa Balewa to democratize the highly autocratic government in the north was met with stiff opposition by the traditional rulers who were the main beneficiaries of the system, according to Goddey (2013)

The most important and the most referenced period in the evolution and development of local government system in the post- colonial era in Nigeria is the 1976 Local Government Reforms. It was upon this reform that other were built. Commenting on this period, Abdulhamid and Chima (2015) argue that:

Despite this colonial history, Nigeria's modern local government system started with the reform of local government in 1976. This reform aimed to restructure and modernize local government administration, and to make it one of the best in Africa. The good intentions of the 1976 reform included the desire to extend the principle of federation by bringing government to the grassroots level, and to achieve uniformity of local government administration across the federation. (Abdulhamid and Chima; 2015)

Issues in the 1976 Local Government Reforms

Despite the undemocratic nature of the military, the institution seems to be the first to realise the importance of local government in Nigeria and the need to make it more efficient and more effective. It can be said without fear of contradiction that one of the legacies of military regimes in Nigeria is local government reform. This assertion is not premised on only what they did but on the declared intention of the institution in regard local government system. Brigadier Musa Yar' Adua correctly pictured the state of the local councils in Nigeria before the 1976 reform when he noted that:

The defects of previous local government systems are too well known to deserve further elaboration here. Local Government has, over the years, suffered from the continuous playing down of their powers. The State Governments have continued to encroach upon what would normally have been the exclusive preserves of Local Government. Lack of adequate funds and appropriate institutions had continued to make Local Government ineffective and ineffectual. Moreover, the staffing arrangement to ensure a virile Local Government system had been inadequate. Excessive politicking had made even modest progress impossible. Consequently, there had been a divorce between the people and the government institutions at their most basic levels. (Guidelines Local Government Reform, 1976).

In 1976, a local government reform committee was set up by the then military government to look critically into the challenges that made the level of government ineffective, and to come out with recommendations that would propel local government into maximum efficiency. The reform was aimed to achieve four basic objectives. These are: (a) to make appropriate services and development activities responsive to local wishes and initiatives by developing or delegating them to local representative bodies, (b), to facilitate the exercise of democratic self-government close to the local levels of our society, and to encourage initiative and leadership potentials., (c) to mobilise human and material resources through the involvement of members of the public in their local government, and (d) to provide a two-way channel of communication between local communities and government that is, federal and state. After consultations, the Committee came out with what

is known as the 1976 Local Government Reform. Among the important issues of the reform included:

- Local governments all over the country became single-tier. By this, they are to perform the same functions, unlike what obtained before the reform.
- Local governments also became, for the first time in the history of the country, the third tier of the government. The first and second being federal and state, respectively. The implication of this provision is that, local government became legally recognized, with certain powers and functions.
- Past debts of the local governments were written off so as to make them have a new beginning and a good start.
- States were mandated to set up Local Government Service Board that would be responsible for the training of the staff of the local government. This was aimed at improving the standards and quality of their personnel.
- Federal and state governments were mandated to release monthly allocations to the local governments in the federation. This was in line with the important functions the councils were to perform.
- Local governments were to be controlled by elected chairmen and councilors. Traditional rulers were therefore insulated from partisan politics. Under the reform, the traditional rulers are to perform purely advisory roles.

In order to realise the set goals, in 1977, elections were conducted in all the 301 local government areas of the country where the chairmen and councilors were voted into offices. Abe and Omotoso (2015: 192) however pointed out that the management of local councils then was not without some undemocratic elements because, while 75% percent of the officials were elected, 25% were appointed by the then military government. Also, in order to provide legal and constitutional backing for the reform, local government system was for the first time enshrined in the 1979 constitution. Its powers, structures, tenure and functions were spelt out in the constitution. Accordingly, the constitution declares:

The system of democratically elected local government councils is under this constitution guaranteed and accordingly, the government of every state shall ensure their existence under law, which provides for the

establishment, structure, composition, finance and functions of such councils. (*section7 (1), 1979 constitution*)

Even though there are problems created by this provision (which shall be discussed later in this work), the foundation for the constitutional take-off of the local government system has been laid by both the military government and the constitution. Like every constitution and law, it can be amended and improved upon.

Unfortunately, the Second Republic in Nigeria saw the abuse and redundancy of the local government system. It almost destroyed the foundation of local government laid by the military. For instance, the various state governments created additional local councils, which were political but not necessary for the purpose of bringing government closer to the people and for enhancing development, thereby bringing the total local councils in the country close to 1,000. Igbuzor (2009) noted that the Shehu Shagari Administration failed to conduct local council elections throughout the country. Instead, the councils were run by appointed loyal party members to the state. This step by the then civilian administration, instead of consolidating on the gain of democracy at the grass-root-level, impeded democratization process.

By the time the military returned to power in December 1983, all the existing democratic institutions were dissolved. The Buhari/Idiagbon regime abolished the additional councils created by the displaced civilian administration. The states Ministry of Local Councils were cancelled and sole administrators took charge of the councils. Funds for the councils from the other tiers of government were direct and allocation to them increased from 15% to 20%. The administration also set up a committee, headed by Ibrahim Dansuki, to look into the challenges of the local government (Abe & Omotoso). The committee noted that, by then, the 1976 Reform was in order and that the only challenge was in the operation and the operators of the system.

The General Ibrahim Babangida's Administration that took over in 1985 took the total number of local councils in the country to 589 before leaving office in 1993. The 1988 Civil Service Reform was extended to the local councils. For instance, presidential system, in which the executive was separated from the legislature, was introduced to the local level. The elected chairman was the chief accounting officer of his council. The secretary to the council also became a political appointee, in line with what obtained at the other two tiers of government, (Ahmed; 2012, 52)

The General Sanni Abacha led military administration that took over power from the ousted Interim Government of Earnest Shonekan in 1993 created more states and councils. In all, there were 774 local councils in the federation, which are recognized and retained by the 1999 Constitution. Elections were conducted into these councils on party basis. In order to reduce cost of governance, however, the presidential system was replaced with a parliamentary system at the local level.

General Abdusalami Abubakar came to power in 1998 after the death of General Sanni Abacha. He dissolved the councils of elected officials, a move that could be interpreted as a response to the outcry of the elections that brought them to offices, by the opposition groups, especially, the National Democratic Coalition (NADECO). The presidential system was reverted to and before the end of 1998, elections were conducted into all the 774 local councils in the country. The 1999 Constitution provided the legal framework for take-off of the councils in 1999.

The Fourth Republic started in Nigeria in 1999. The 1999 constitution has many things in common with the 1979 Constitution, especially, as it relates to the system of local councils. For instance, both constitutions adopted a presidential government. They also recognized local government as an important tier of government. Accordingly, apart from specifying the names of each of the councils and their capitals, the 1999 Constitution, in the *First Schedules, part 1* almost in the same manner as the 1979 Constitution also declares that:

The system of local government by democratically elected local government councils is under this constitution guaranteed; and accordingly, the Government of every state shall subject to section 8 of this constitution, ensure their existence under a Law which provides for the establishment, structure, composition, finance and functions of such councils. (section 7 (1))

Under the Fourth Republic, local government system suffers the greatest assault since the 1976 Reform. Councils became more redundant, least effective and efficient, ceased to be a government of the local people by the local people and for the local people. Councils are cut-off from the people and their impacts are hardly felt by the local people. This paper argues that the two constitutions under review and the state governments, particularly, the state Governors are

responsible for the poor state of the councils in Nigeria. The immediate section of the paper makes analysis this assertion.

Local Governments and its poor state in Nigeria: A critical Analysis

Enemuo (2008: 324-325) summarized the problems of local government in Nigeria as follows; lack of adequate funding, scarcity of experienced personnel, excessive instruction and control by the central government, corruption among staff, inadequate public support and rivalry with traditional authorities. These are indeed the basic reasons the local government system has not lived up to its expectations in Nigeria. However, these problems are not natural, and they are made possible or created by the constitutions of Nigeria, and unless, this is recognized, all attempts to reform the system will prove abortive.

Both constitutions provide for the existence of the local councils by elected officials. However, the state shall: *ensure their existence under a Law which provides for the establishment, structure, composition, finance and functions of such councils. (section 7 (1))*. Yet, local councils are regarded as a tier of government vested with certain powers and responsibilities. The implication of this constitutional provision is that, local councils are creation of the state governments, hence, the concept of 'tier' in the constitution is in contradiction with the purpose of the councils. In other words, local councils cannot in any way by this provision, be free from the absolute control of the state, thereby rendering the councils as tools in the hands of the state governments. Abdulhamid and Chima (2015) recognize the damaging impact of the 1979 constitution, especially, to the effectiveness of local councils when they submit that:

However, the 1979 constitution which provided the legal framework for the 1976 reforms, plunged the local government system into a crisis of identity, and ever since local government in Nigeria has remained an idea in search of relevance....the combined effects of constitutional gaps and reform contradiction have rendered Nigeria's system of local government an unfortunate 'orphan', and that, lacking a strong constitutional foundation, local government in Nigeria has been subject to the whims of both state and federal governments. (Abdulhamid and Chima :2015)

The 1999 constitution created more legal and constitutional problems for local governments than the 1979 constitution. Section 7(1) states that states shall: *ensure their existence under a Law which provides for the establishment, structure, composition, finance and functions of such councils. (section 7 (1))*. This was interpreted by some people as giving the power to create local councils to the states. This was led some states like Lagos, Ondo, Rivers, to create local councils in the early part of the Fourth Republic. This later became a legal battle between Lagos state and the federal government, when the latter ceased funds for local councils of the former over the creation of additional 37 local councils. The crisis was avoidable but for the constitution. The 1999 constitution gave power to the National Assembly to allocate revenue allocation to the local governments, but these are the local governments recognized by the constitution. The implication of this power is that, even if the states have power to create local governments, only 774 local governments are recognized by the constitution and these are those the National Assembly have powers to allocate revenues to. Yet, local councils need funds to carry out their constitutionally stipulated functions. The Supreme Court ruled that the federal government had no power to withhold local councils' funds of the Lagos state, and at the same time, states have no power to create more local councils. Agreeing with the Supreme Court ruling in the case between Lagos and Federal governments, Iwilade (2012) submitted that: "Unless the National Assembly enacts a consequential Amendment Act to list the additional 37 Lagos Local Development Councils Areas as Local Government Areas under the 1999 constitution, Lagosians cannot validate the new Local Government Areas they have lawfully created." For two years or thereabout, Lagos state local councils were deprived of their federal monthly allocations. This was as a result of the lacuna created by the constitution.

Another problem created by the 1999 constitution for the smooth operation of the local councils in Nigeria has to do with finance. Local councils, like the other tiers of government, need enormous funds in order to be relevant. The constitution recognized this fact, and necessary provisions were made by the framers of the constitution. Of all the sources of revenue to the local councils, the largest come from the mandatory monthly allocations from both the state and federal governments. The *Fourth Schedule* of the constitution declares that: "*The National Assembly shall make provisions for statutory allocation of public revenue to local government councils in the Federation; and (b) the House of Assembly of a state shall make provisions for statutory allocation of public revenue to local councils within the state*. It is here the local councils become over-

dependent and over-reliant on the other tiers of the governments. In most cases, the state governments would not release funds to the councils. Where the party in power in the state is not the same with the one that controls the council, such a council usually suffer. Apart from the fact that in some cases, the due of the councils from the states are not released to them, the constitution also aided the suppression of the councils by the states. Under the *Distributable Pool Account*, there is this provision that:

- (6) Each State shall maintain a special account to be called *State Joint Local Government Account* into which shall be paid all allocations to the local government councils of the state from the Government of the state.
- (8) The amount standing to the credit of local government councils shall be distributed among the local government councils of that state on such terms and in such a manner as may be prescribed by the House of Assembly of the State. (1999 constitution)

The SJLGA, no matter the original intention of the framers of the constitution, has become a potent weapon in the hands of the state government to weakling the performance of the local councils. Commenting on the implications of the state in the starving of the local councils by the state, Abdulhamid &Chima write thus:

The consequence of the financial strangulation of local government councils is predictable: a local government administration that is ineffectual, unable to connect with citizens, or to discharge its statutory responsibilities, and a local population without responsive local administration. Abdulhamid &Chima; 2015)

The damage done to the local council system in Nigeria by the state Governors are enormous. They make sure that the tier of the government is not functional. They make local council a local administration instead of a local government. They usurp local councils' powers, funds and responsibilities thereby making the government of the local people invisible. All attempts to reform and restructure local councils are blocked by the state governors. They do not allow free and fair elections to hold in the councils, apparently because the Governors themselves have failed their people and they would not want a situation where opposition parties will defeat them at the local level. Hence, they prefer to have their loyal party members as caretaker committee

members to run the councils, since they can easily manipulate them. Throughout the four years of Kayode Fayemi as governor of Ekiti state, local council elections were not conducted. Olusegun Mimiko spent eight years as Ondo state governor without conducting elections into the local councils. These are just examples of very many states in Nigeria where the state governments prefer an appointed caretaker committee to a democratically-elected official to run the local councils as guaranteed by the constitution. Yet, the governors are all acclaimed democrats. The roles of the state government at impoverishing local council system in Nigeria was well captured by Onyedikachi (2016), when he writes that:

Most governors have exploited the constitutional provision for the establishment of joint state and local government account to control local Government funds; they hijack the nomination and subsequent election for their acolytes as council chairmen. Aspirants who emerge victorious after rigorous process paid allegiance and political dues to the governor by accepting whatever deductions they make from the joint state- local government account. Nigeria lacks equity and fairness in sharing revenue as epitomized by the incessant manipulation of revenue allocation criteria and tax policies by the political class. There is the growing practice among the state governments to divert local government funds through state-local government joint account. This is possible because local government allocations from the federation account are disbursed through the state governments. Most State governments have taken this advantage to divert part of the allocation to otiose projects thereby robbing the local governments of the capacity to perform their functions and live up to the expectations of the people. (Onyedikachi 2016; 26)

The operational problem identified by the Dansuki Committee continues till date in the local councils' administration. More than 80% of the 774 local councils in Nigeria are managed by caretaker committees. In states like Ekiti where elections were conducted, all the seats are won by the party that controls the state. Needless to mention that in such places, elections are neither free nor fair. As a matter of fact, the state government select the candidates for the elections, and the elected officials are mere errand boys of the governors. This arrangement is orchestrated by

the constitutional provision that empowers the state to set up the State Independent Electoral Commission (SIEC). In some cases, too, when a new state governor emerges, elected councils are dissolved, only to be replaced with appointed loyalists of the governor. The implication of this is that, local government ceases to be a government for the local people. It is on this basis that Nwosu (1989) submits that:

The relationship that existed between the state and local government resembles that of the partnership of the horse and the rider, in which the state government propels the local government to any direction they desire. The local governments are not encouraged to use their initiative to harness local human and material resources for the provision of high quality services for millions of Nigerians who live in rural communities. (Nwosu:1989, 12)

The implications of all these impediments are many. For one, local councils are almost non-existence in Nigeria because their impacts are not felt in the grass-roots. Feeder roads are not repaired, parks are not constructed and the existing ones are not renovated. Markets are not built by the councils but by the states as in the case of Ondo state under Governor Olusegun Mimiko. In fact, infrastructures are in poor state in most councils all over the federation. Some constitutional functions of the councils like the administration of primary schools and health, market and drainages are being usurped by the states. Councils are no longer responsible and responsive to the local people but to the state Governors. The government of the locals ceases to be as citizens are not able to actively participate in the government that are supposed to be their own. The essence for which local councils were created, as a way of linking the locals with the central government is defeated. An efficient local council system would provide an opportunity for training future leaders that would grow from councilors to chairmen, to the assembly members before becoming governors and finally progressing to the central government level. Economic development is hampered as a result of ineffective local councils. Local initiatives are lost in the process.

Conclusion/Recommendations

The crucial roles of effective local councils' system in any democratic and federal state cannot be over-emphasized. It is however noted that the impacts of the system are not felt in Nigeria because of certain challenges this paper has identified. A thorough examination of local government

system in the country was carried out in the paper. As a way of concluding, the following measures are recommended for the effective local government system in the country, especially, at this crucial time that many people are clamouring for restructuring.

- In line with the provision of the constitution, all local councils must, without unnecessary delay, be governed by democratically elected officials. There must be a relevant law that will prevent the states from constituting appointed caretaker committee at the council levels. If federal and state governments are controlled by elected officials, the same should be extended to the local council, for it to be a true tier of government.
- State Independent Electoral Commission (SIEC) should be cancelled. In its place, it should be the responsibility of the Independent National Electoral Commission (INEC) to conduct elections into the local councils.
- Local councils' elections should precede state and federal elections.
- The proper functions of the local councils should be performed only by the councils. A situation whereby state embark on the construction and maintenance of primary schools and health, markets and parks, should be discouraged.
- State Joint Local Government Account (SJLGA) should be cancelled and funds for the local governments should be paid to them directly. It does not make much sense again to say that the councils cannot be entrusted with huge funds. As a matter of fact, there is little to steal at the local level than in the other levels of government.
- The anti-graft agencies, the civil societies and the local people should be empowered and enlightened to monitor funds for the local councils. This is what obtains at the state and federal levels.
- Some local councils like Okitipupa Local Council of Ondo state are too large to function a grass-roots government. Hence, they should be split. In other words, there should creation of more local councils.
- In order to prevent the proliferation of local councils as witnessed in the Second Republic, local government creation and existence should be handled by an independent commission.

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