

**LOCAL GOVERNMENT AUTONOMY IN NIGERIA: ISSUES AND WAY
FORWARD (A CASE STUDY OF OVIA NORTH-EAST LOCAL
GOVERNMENT AREA)**

BY

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BENIN CITY**

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**A PROJECT SUBMITTED TO THE DEPARTMENT OF PUBLIC
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CERTIFICATION

This is to certify that this project work was carried out by **Emuze Ehiosu Flora** with Matriculation Number: **SSC1911673** of the Department of Public Administration, Faculty of Social Sciences, University of Benin, Benin City, Edo State, Nigeria.

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DEDICATION

I dedicate this research work to God Almighty for His protection, guidance, and grace over my life all through the course of my study in the University of Benin.

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My heartfelt appreciation to God Almighty for His infinite goodness, protection, guidance, provision and grace upon my life throughout the course of my study in the University of Benin.

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ABSTRACT

This study was carried out to examine local government autonomy in Nigeria: issues and way forward using one local government areas in Edo State as a case study. Specifically, the study was aimed at examining if the autonomy of local government in Nigeria is achievable; study the effort of the Federal government of Nigeria in making local government autonomous; and analyze if the local government has and will have any positive effect on the populace. The study employed the survey descriptive research design. A total of 150 responses were validated from the survey. From the responses obtained and analyzed, the findings revealed that the autonomy of local government in Nigeria is achievable any time soon; The Federal government of Nigeria is not making any effort to make local government autonomous; and the local government has positive effect on the populace. The study therefore recommend Federal government of Nigeria to see to accomplishing of LG autonomy in the country. LGs in Nigeria need adequate autonomy that can facilitate their operations and development of the localities. This should emanate from institutionalized democratic process of elections for representative LG councils as and when due.

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

Local Government is literarily seen as the government at the local level. Some scholars (Olowu 1988, Adeyeye, 2005) have distinguished local government depending on the political arrangement of the nation, i.e. unitary or federal system. Adeyeye (2005) defines local government in the unitary state as "non-sovereign community possessing the legal right but which are essentially administrative agents of the central government".

The United Nations Office for Public Administration sees Local Government as: A political subdivision of a nation (in a federal system) state, which is constituted by law and has substantial control of local affairs including the powers to impose taxes or to exact labour for prescribed purposes. The governing body of such an entity is elected.

All over the world, the local government system is the tier of government that is closest to the people. It is designed to bring governance and service delivery to rural and underserved communities. It is also an avenue for deepening democracy and decentralizing power through greater citizen participation in electoral processes and decision-making. It also serves as an arena for political development at the grass-roots level. Thus, Section 14(4) of the constitution states that The composition of Government of a State, a Local Government Council, or any of the Agencies of such Government or Council, and the conduct of the affairs of the Government or Council or such Agencies shall be carried out in such manner as to recognise the diversity of the people within its

area of authority and the need to promote a sense of belonging and loyalty among all the peoples of the federation.

This Section of the Constitution has been termed by many authors as the "Local Government Character". It thus means that like what it is applicable to other jurisdictions, where the local government system is a tier of government so also in Nigeria, the system of local government is meant to be a tier of government at the grassroots, burdened with the sole responsibility of bringing the government closer to the people; as envisaged by Section 14(4) of the Constitution (Adeyemo 2005).

Similarly, the Guideline for Local Government Reform (FGN, 1976) defines local government as:

Government at local level exercised through representative councils established by law to exercise specific powers defined areas. These powers should give the council substantial control over local affairs as well as the staff and institutional and financial power 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 the active participation of the people and their traditional institutes, that local initiative and responses to local head and conditions are maximised.

The implications of the above definitions are in four dimensions, these include: Local government must be a legal entity distinct from the state and federal government. Local

government must be administered by democratically elected officials. Local government must have specific powers to perform a range of functions assigned it by law.

Local government must enjoy substantial autonomy to perform array of functions, plan, formulate and execute its own policies, programmes and projects, and its own rules and regulations as deemed for its local needs. This autonomy includes power to control its finance, recruit and discipline its staff.

Based on these definitions, and their implications, it could be noted that the local government autonomy will serve as a tool for removing incessant interference of the state over local government affairs. The 1976 reform defines local government as: Government at the 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 institutional and financial powers to initiate and direct the provision of services and to and implement projects and the activities of the state and federal government in their areas, and to ensure, through devolution of these functions to 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.

Despite the initial differing conceptions ascribed to the local government autonomy (see Adeyemo, 2005). The full meaning of the term autonomy' has not been fully explained (Odunfa, 1991). Local Government autonomy is the freedom to the Local Governments to exercise authority within the confines of the law or constitution. This is to enable them

to discharge legally or constitutionally assigned responsibilities satisfactorily, but without undue interference or restraint from within or higher authority. This definition argues for adequate autonomy for local governments within the law for the purpose of performance, which actually guarantees it. Without performance, the law or constitution may not be able to guarantee even adequate autonomy for local governments as the people yearn for development. Autonomy operated within a democracy must be limited as indeed democracy limits the use of power (Imhanlahimi and Ikeanyibe 2008).

The Local Government in Nigeria can be a successful autonomous entity provided the Federal and State governments are ready to work towards achieving this. Therefore, the focus of this research work is to critically examine local government autonomy in Nigeria. Its problems and prospects in Ovia North-East Local Government. This study examines local government autonomy in Nigeria with particular reference to Ovia North-East Local Government Area of Edo state.

1.2 Statement of Research Problem

In the last few years there has been so much avoidable controversy and confusion about the local government system in Nigeria. There has been a number of challenges confronting local governments in Nigeria, in their bid to utilize their autonomy in the task of developing the localities. These include structural, operational, financial, patron/godfather pressure, unstable democracy, constitutional provisions and corruption. However, this could be as a result of Nigeria's socio-political context, with multiplicity of culture, diversity of languages and differentiated needs and means, the importance of

local government in fostering the needed national consciousness, unity and relative uniformity as well as preservation of peculiar diversities cannot be over-emphasized.

Central to the creation of local government, however, is its ability to facilitate an avenue through which government and the people intermix, relate and more quickly than any other means to resolve or dissolve issues that may have heated the system. Local government has been perceived as a panacea for the diverse problems of the diverse people with diverse culture. The importance of local government in enhancing the effectiveness and efficiency of service delivery no doubt contributed to the rapid creation of many local governments following the adoption of 1979 constitution. Even today, there are still agitations for the creation of additional local governments.

One of the major defects of the pre-1976 local government system in Nigeria was the whittling down of their powers by the state governments that continued to encroach upon what would have normally been the exclusive preserve of local governments. Others were lack of adequate funds, in-appropriate institutions, inadequate staffing arrangement and excessive politicking, which together made the emergence of a virile local government impossible. There was also the problem of disconnect between the people and government at the local level.

The 1976 Local Government Reforms was therefore, introduced to address these problems. Local government, it was argued, must have defined and precise functions designed to promote the development of local government areas; they must have assured finance to enable them plan their budget and carry out their functions; and they must have

adequate staff. These were indications that the reforms sought to bring about the evolution of a local government system capable of internally evolving policies among alternatives without extraneous control in the interest of its citizens. Therefore this study sought to investigate the autonomy of local government in Nigeria with various challenges they faced with and how they can overcome these challenges.

1.3 Objectives of the Study

The objective of this study is to examine local government autonomy in Nigeria with the challenges they are facing and how they can overcome these challenges. The specific objectives were:

1. To critically cross examine if the autonomy of local government in Nigeria is achievable.
2. To study the effort of the Federal government of Nigeria in making local government autonomous.
3. To analyze if the local government has and will have any positive effect on the populace.

1.4 Research Questions

These are some of the questions the study is designed to answer:

1. What are the challenges facing the autonomy of local government in Nigeria?
2. What are the efforts of the Nigerian government in ensuring successful autonomy of the local governments?
3. Is the autonomy of local government in Nigeria achievable?

1.5 Significance of the Study

The basis of local government is inextricably woven around the principles of decentralization. The significance of this study was therefore to observe the autonomy of local government in Nigeria with challenges they are facing and how they can overcome these challenges. Findings from this study will be useful for government and the general public in the area administration, centralization and decentralization. It will also be useful in academic studies particularly in the area of local government studies in higher institutions. This study has Empirical, Theoretical and academic significance

1. Empirically: The outcome of this will enable the population of Ovia North-East to come to terms with why Ovia North-East has been unable to enjoy local government autonomy.
2. Theoretically: This work is significant because it has added to the literature base on local government autonomy in Nigeria
3. Academically: The outcome of this study will be a contribution to the existing literature in the area of local government autonomy.

1.6 Scope of the Study

The researcher shall restrict the scope studies to the analysis of an autonomous local government in Nigeria. The study shall focus more on how local government autonomy boost Nigerian economy.

1.7 Definitions of Terms

A research work of this nature cannot successfully be dealt with, without an adequate definition of the key concepts used. Because of this, we shall operationalize the following concepts:

Autonomy: The concept of autonomy within the context of local government is the elbow room and freedom of the local government to make decisions within the powers and functions to it by law within its sphere of influence. This simply implies the enjoyment of self-governing status. In other words, it refers to the right or freedom of a body to set the parameters of its operations.

Constitution: A constitution is a body of rules and regulations that regulates the activities of the government of a state, an institution, or an organization. It is an agreed set of rules prescribing the organization of the government of a country

Democracy: The word "democracy" when translated means people power giving to the people. Consequently, when one talks of democracy in government, he refers to a system which gives the power of governing the people to the people concerned. By extension, therefore, a democratic local government system is that which transfers the powers of governing the local people from any higher tier of external government to the local people themselves through their representatives in the local councils.

Economy: this is the state of a country or region in terms of the production and consumption of goods and services and the supply of money.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK OF ANALYSIS

2.0 Introduction

Our focus in this chapter is to critically examine relevant literatures that would assist in explaining the research problem and furthermore recognize the efforts of scholars who had previously contributed immensely to similar research. The chapter intends to deepen the understanding of the study and close the perceived gaps.

2.1 Conceptual Framework

Local governments are not sovereign unlike independent nation-states. It is a subordinate government, which derives its existence and power from law enacted by a superior government. The nature and structure of transactions or interactions between the three tiers of government determine the degree of autonomy. Local government in Nigeria is rooted on historical antecedents of reforms. Local government system is constitutionally provided for as a third tier and autonomous of the other two, the Federal and State Governments in Nigeria. This paper examines the contradictions in local government system and suggests that the sustainability of local government autonomy should anchor on improved revenue base adherence to constitutional provisions, political stability accountability and transparency in governance. Also the paper presents problems of sustaining local government autonomy in Nigeria. It was concluded that development of Nigeria as a country depends on effective and functional local government system.

2.1.1 The Concept of Autonomy

There is a good deal of confusion and misinterpretation as to what the term ‘autonomy’ connotes, despite its regular usage, yet the real understanding of the term leaves much to be desired. The numerous scholars and government functionaries who used the term assumed that their audience understands the concept. Furthermore, government reforms that are intended to preserve or extend local government autonomy ends up short of their objectives because the full meaning of the term ‘autonomy’ has not been fully explained (Odunfa, 1991; Adeyemo, 2005). In view of these conflicting conceptual interpretations, the term “Local Government autonomy is perceived as local self-government or grassroots democracy”. This grassroots democracy is primarily aimed at giving the vast majority of the people the fullest opportunity to participate in determining their own destiny. But it is obvious that we cannot have complete autonomy or complete local self-government within sovereign states. If local governments were completely autonomous they would be sovereign states (Adeyemo, 2005). Nwabueze (1983) defines the autonomy under a federal system to mean that “each government enjoys a separate existence and independence from the control of the other governments” It is an autonomy which requires not just the legal and physical existence of an apparatus of government like a legislative assembly, Governor, Court etc. but that each government must exist not as an appendage of another government but as autonomous entity in the sense of being able to exercise its own will in the conduct of its affairs free from direction of another government (Adeyemo, 2005).

According to Nwabueze, autonomy would only be meaningful in a situation whereby each level of government is not constitutionally bound to accept dictation or directive from another. In the view of the defunct Centre for Democratic Studies, local government autonomy refers to “The relative discretion which Local Governments enjoy in regulating their own affairs”. The extent to which Local Government are free from the control of the State and Federal Governments in the management of local affairs. In his contribution on the literature of autonomy, Davey (1991) opines that “Local autonomy is primarily concerned with the question of responsibilities, resources and discretion conferred on the local authorities. As such discretion and responsibility are at the core of local government”. It presumes that local government must possess the power to take decisions independent of external control within the limits laid down by the law. It must garner efficient resources particularly of finance to meet their responsibilities, put differently, local autonomy is the freedom of independence in clearly defined issue, areas, as well as separate legal identity from other levels of government. We can argue that there can never be an absolute autonomy because of the interdependence of the three levels of government and this brings into focus the inter-governmental context of local government autonomy. The federal, state and local governments rule over the same population. If they are to achieve the purpose of their creation and not to waste the meagre resources at their disposal, there must be a definition of the boundaries or arena of operation of each of them (Adeyemo, 2005).

In essence, when one talks of local government autonomy in Nigerian's polity, we refer to the relative independence of local government control by both the state and federal governments. Therefore, it is the nature and structure of transactions or interactions between the three levels of government that reveals the degree of local government autonomy.

2.1.2 The Quest for Local Government Autonomy

The struggle for local government autonomy in Nigeria has been a recurring issue. It is as old as the history of Nigeria colonial state. In the 1950s various reforms such as the Northern Nigeria local government law of 1954, the Western and Eastern Nigeria local government laws of 1954 respectively aimed at democratizing local government administration were initiated by the various regional governments. It was an era of participatory local government in Nigeria. Despite these attempts, yet the regions had strong grip of the control of local governments for varying political reasons (Adeyemo, 2005). This master-servant relationship did not change for the better until the 1976 local government reforms. In recent times, the federal government changed its posture and championed the course of local government autonomy. In the forward of the guidelines for 1976 local government reforms, it was remarked that "the state government have continued to encroach upon what would have been the exclusive preserve of local government". With this reform, the federal government granted the local government the power of grassroots governance, thus became the third tiers of government in the country.

Undoubtedly, there has been improvement in the degree of autonomy granted the local government since 1976, with more functions giving to it. To strengthen the philosophy of the government, it went further to guarantee the statutory nature of local government by embodying it in the 1979 constitution section 7(1) of the said constitution stated: “the system of democratically elected local government councils is under this constitution guaranteed”. In spite of the inclusion of this in the constitution, the civilian administration between 1979-83 seriously bastardized the so-called autonomy (Adeyemo, 2005). It should be noted that successive military regimes have tried to give local government its rightful position through the revitalization and restructuring of local government system in Nigeria. The Babangida administration since 1985 made conscious efforts to strengthen local government system by enhancing its autonomy. Certain measure of autonomy started coming the way of local governments in January 1988 with the scrapping of the State Ministries of local government throughout the Country. This was to remove the political control and bureaucratic red- tapism created by the Ministries in the developmental performance of local government councils (Adeyemo, 2005).

Apart from the above steps, there was the local government election in December 1987. It was an attempt to restore democracy to the grassroots since the last election to the local councils in 1976, whose life expired in December 1979. Other efforts geared towards local government autonomy were the approved scheme of service for local government employees, following the recommendation of the Oyeyipo committee report of March 1988. To enhance financial autonomy and regular sources of revenue, there was the direct

disbursement of funds to local governments, thus preventing the hijacking of the funds of local governments by the state governments (Adeyemo, 2005). In a similar direction, the federal government increased the statutory allocation to local governments; for instance it was increased from 10 – 15% in 1990 and from 15 – 20% in 1992. To further ensure the viability of the local governments, the federal allocation to local government increased from N1.177 billion in 1986 to N8.1 billion in 1991. The monthly allocation from the federal account moved from N675 million in 1991 to N1 billion since January 1992 (Adeyemo, 2005).

Apart from the direct allocation to the local governments, substantial amount of money was made annually as grants to training institutions such as University of Ibadan, Ibadan; Obafemi Awolowo University, Ile-Ife, Ahmadu Bello University, Zaria, and the University of Nigeria Nsukka, for the purpose of training middle and upper level manpower for local governments. Series of seminars and workshops were organized by the federal government and institutions to improve the performance of local government officials (Adeyemo, 2005). In view of the importance of local governments, as the bedrock for democracy, there was the creation of 148 local governments in 1989 and 140 in 1991 and now totaling 774. These efforts were to bring the government much nearer to the grassroots. The application of the 1988 civil service reforms in the local government service was another measure of enhancing the status of local government as the third tier of government. The measure was to professionalize the service of local governments and to strengthen accountability through the use of audit alarm system and the creation of the

office of the Auditor General for the local government. The federal government had made numerous reformatations in 1989 constitution, which are designed to remove the inadequacies of local government system in its preparation for the Third Republic. Other provisions of the 1989 constitution which give powers for the removal of the chairman of local government are contained in section 292 and those of the electorate to “recall” any member of a local government council including the chairman and vice-chairman’s specified in section 304, section 7(8), same constitution guarantees the local government a steady and assured sources of income. By virtue of these provisions the local government system is increasingly becoming autonomous and recognized as third tiers of government (Adeyemo, 2005).

2.1.3 The Local Governments under 1979 Constitution

The introduction of constitutional democracy in 1979 had meant that the functioning of local governments in the federation would be operated along with the constitutions guiding its existence within the federal system of government. The term federalism in its classical sense as espoused by leading scholars in the area presupposes two levels of government in a federation i.e. the federal (central) and the units i.e. state or regional governments. For instance, Wheare (1963: 2) identified a federal system as (Awotokun, 2005).

An association of state so organized that powers are divided between a general government, which in certain matters is independent of the governments of the associated states, and, on the other hand, state governments which in certain matters are in their turn,

independent of the general government. Peter Merkel whose definition also has been greatly influenced by his Anglo-Saxon background, conceptualized a federal state as the one (Awotokun, 2005): Characterized by at least two patterns of communities, one all-inclusive and the other composed of several mutually exclusive communities. The geographical nature of the community pattern and especially the location of boundaries among the sub-communities and around the whole community are crucial to a federal system (Oyovbaire, 1979: 82). In order to maintain stability in a federal polity like Nigeria, the two definitions above seem to have taken cognizance of diversity in the day to day administration of each sphere of the level of government i.e. central and state. This is what is commonly referred to in the literature as unity in diversity, which from all intents and purposes seem contradictory and self-defeating. In the governance of each level of government, there is a presupposition of independence (autonomy) in order for each to control its destiny. This will largely account for the call for resource control by the oil-producing states in Nigeria.

According to Nwabueze (1983:1) federalism is not more than (Awotokun, 2005). An arrangement whereby powers of government within a country are shared between a national, country-wide government and a number of regionalized (i.e. territorially localized) government in such a way that each exists as a government separately and independently from the others operating directly on persons and property within its territorial area, with a will of its own and its own apparatus for the conduct of its affairs, and with an authority in some matters exclusive of all the others. Hence federalism from

this perception is seen as a mutual agreement between two levels of government to share power of the state in formal constitutional or legalistic arrangements (Awotokun, 2005).

According to this context, some principles are implied, such as separateness and independence. This means that the autonomy of each federating unit must be respected and preserved. Autonomy in this sense presupposes that each government must exist, not as an appendage of another government, but as an autonomous entity in the sense of being able to exercise its own will in the conduct of its affairs, free from direction by another government (Awotokun, 2005). The autonomy of each unit of government also implies mutual trust and respect such that no unit of government can impose, confer functions or duties on the other without a mutual agreement. The Apex Court (Supreme Court) in its celebrated judgment declared unanimously, that the Federal Government has no power under the 1999 Constitution to credit the councils' amount directly from the Federation Account. The verdict in a sense buttresses our assertion. It no doubt underscores the beauty of democracy and the place of the judiciary as the impeccable arbiter that ensures strict adherence to constitutional rules and procedure by public officers (Awotokun, 2005).

2.1.4 The Local Governments under 1991 Reforms

The 1991 reforms introduced to the local government the presidential system of government as it used to be at the federal and state levels. The development was regarded as a test tube for the nation's grassroots democracy. The major highlights of the reforms

in accordance with the Implementation of the Basic Constitutional and Transitional Provision (Amendment) Decree 1991 are as follows:

- a. The Executive chairman ceases to be a member of the council.
- b. Councillors were to form the legislature.
- c. Chairman to appoint supervisors from within or outside the council, (but if within the council such a councillor immediately loses his seat).
- d. Councillors to elect a leader who will act as council speaker
- e. Council clerk now to head the Personnel Management department
- f. Executive arm of the council to consist of Chairman, Vice-chairman, Secretary and the supervisors
- g. Council Secretaries now become Chief Executive Officer / Adviser to the Executive arm.

Under that arrangement, the local government council which constitutes the Legislative arm was charged with these functions:

- h. Law-making, debating and passing local government legislation.
- i. Debating, approving and possibly amending local government yearly budgets, subject to the chairman's vote, which could be over ridden by a two third majority of the councillors;
- j. Vetting and monitoring the implementation of projects and programs in the council's yearly budget.

k. Examining and debating monthly statement of income and expenditure rendered to it by the executive arm.

l. Impeaching the council chairman who has committed an impeachable offense in accordance with the constitution.

m. Advising, consulting and liaising with the chairman who is the head of the executive arm of the local council; and

n. Performing such other functions as may be assigned by the House of Assembly of the state in which it is situated (Adeyemo, 2005).

In the same vein, the executive authority was conferred on the local government Chairman or the Vice- chairman, Secretary and Supervisors or officers in the service of the councils to perform as follows, to:

1. function as the Chief Executive and Accounting Officer of the local government provided his role as Accounting Officer shall exclude signing of cheques and vouchers;
2. Assign to any supervisor of the local government responsibility for any business of the local government including the administration of any department of the local government.
3. Hold regular meetings with the vice-chairman and all supervisors with the purpose of:
 - Determining the general directions of the policies of the local government
 - Co-ordinating the activities of the local government and

- General discharging the executive functions of the local government.
4. Set performance target for each local government employees.
 5. Observe and comply fully with the checks and balances spelt out in existing guidelines and financial regulations governing receipts and disbursement of public funds and other assets entrusted to his care and shall be liable for any breach thereof;
 6. Adhere fully to the Finance Control and Management Act 1959 and its amendment (Adeyemo, 2005).

It is essential to note that other innovations introduced during Babangida Administration's transition program include, the popular participation and political control of the grassroots, injection of new breed, into the nations body politics, introduction of two grassroots based political parties, creation of more local governments, presidentiasizing the local government and the introduction of open voting system. These changes are conscious attempts to give local governments throughout the Country some degree of autonomy in achieving the basic objectives of their creation. These objectives are contained in the 1976 guidelines for local governments' reform and further amplified in the fourth schedule of 1979 and 1989 constitutions of the federal republic of Nigeria. We wish to add further that the local government council (legislative arm) can make bye-laws to be assented to by the chairman of the local government. However, after 30 days, if the chairman fails to assent to a bye-law duly passed, by the two third majorities and such a bye-law will then become law even without the assent of the chairman. This is a novel procedure, which introduces a system of checks and balances between local

government chairman and the council. The provisions above are geared towards unfettered development and the sustenance of democracy in the third republic. It should also be noted, that these developments brought presidentialism to the grassroots where there exist a clear cut separation of power between the legislative and executive arms of the local government.

2.1.5 Limitations of Local Government Autonomy

Whatever might be our conceptual view of the notion autonomy, yet it is believed that it cannot be absolute. Even sovereign nations are not autonomous since they are bounded by inter-national co-operation, commitment, laws and treaties. Also, within the domestic political environment, governments are guided by some bodies of organic laws, norms and convention etc. which regulates their relations / interaction with the polity (Adeyemo, 2005). It is however important to note that there exist some hindrances that limits the achievement of local government objectives. For instance, Section 7(10) of the 1989 constitution, as well as section (110) of Decree No. 15 of 1989 specifically provides as follows: “subject to the provision of chapter viii of this Constitution the House of Assembly of a State shall enact a law providing for the structure, composition, revenue and expenditure and other financial matters, staff, the result of the referendum is approved by meeting and other relevant matters for the local government in the state (Adeyemo, 2005). Furthermore, Decree No. 23 of 1991, section 4; 221 has provided that: “The executive powers of local government shall be exercised by the chairman of the local government subject to the provision of any Edict or law of the state within which

the local government is situated. Section 34 of the “Local Government (Basic Constitutional and Transitional provisions) Decree” (Decree No. 15) of 1989 empowers the President, Commander in Chief of the Armed Forces to “if he is satisfied that the affairs of a local government are not being managed in the best interest of the community or in a way to strengthen the unity of the people of Nigeria or for any good cause”.

- ❖ Remove the chairman, vice-chairman of the local government council from office or
- ❖ Dissolve the local government council and appoint an Administrator to manage the affairs of the local government until an election to the offices of chairman, vice-chairman and councillors for the local government council has been held (Adeyemo, 2005).

Moreover, section 4(5) (3) (b) of the 1989 constitution provides that the local government chairman’s... executive power shall be so exercised as not to impede or prejudice the exercise of the executive powers of the federation or of state in which the local government area concerned is situated or to endanger the asset or investment of the government of the federation or of the state government in the local government area. Although, a large measure of autonomy was granted to local government to enable it sustain itself as an effective third tier of government in Nigeria and also to bring a meaningful development throughout the Country starting from the grassroots. In spite of this, however, the following levels of interaction can be identified (Adeyemo, 2005):

(a) Federal – State

- (b) Federal – State – Local
- (c) Federal – Local
- (d) State – State
- (e) State – Local
- (f) Local – Local relation;
- (g) Local – Extra governmental bodies.

The network of inter-governmental relation's transactional pattern in a state is varied and complex. Taking into consideration the vertical and lateral patterns or levels of interaction in Nigeria Federal state. Intergovernmental relation is a product of federalism, whatever model or combination of interactions that manifest and its effectiveness to a great extent depends on the mental disposition of the political actors. The following levels of interaction which in some cases may act as impediments to local government autonomy still manifest. In most cases, this pattern of interaction becomes indispensable and more often responds to and in obedience to the degree of conflict and consensus, negotiations, bargaining and co-operation that exist over space and time (Adeyemo, 1992; Adeyemo, 2005). The federal government still exercise both constitutional and statutory responsibility over the following matters in relation to local government administration (Adeyemo, 2005).

- a. Creating new local governments through the normal process of constitutional amendment;

- b. Making provisions for statutory allocation of public revenue to the governments of-the federation;
- c. Establishment of National Electoral Commission for the purpose of organizing democratic elections at all levels, including local government elections;
- d. Establishing the code of conduct bureau for all public officers, including local government functionaries, to declare their assets;
- e. Exercising through the National Assembly unfetter powers to make laws for the federation or any part thereof including any local government area.

The state governments are also constitutionally responsible to relate with the local governments on the following (Adeyemo, 2005):

- A. Administering on the oath of allegiance and the oath of office on the newly elected chairman, through the governor of the state.
- B. Allocating 10% of the state's internally generated revenue to the local governments within the state;
- C. Enacting an edict law to create, for any local government area within the state up to seven development area;
- D. Establishing a joint planning board through a law enacted by the State House of Assembly to require each local government within a particular state to participate in economic planning and development of the local government area.
- E. Establishment of the office of the Audit- General for local governments for the purpose of auditing the-accounts of the local governments within a state, enacting,

through the State House of Assembly “a law providing for the structure, composition, revenue, expenditure and other financial matters, staff, meeting and other relevant matters for the local government in the state”. Subject to the provisions of chapter viii of the 1989 constitution and parts I to IV of Decree No.15 1989.

- F. Offering advice, guidance and supervision through the office of the deputy governor of the state. Be that as it may, the state governments under the 1999 constitution have the right to control, dissolve, dismiss and institute inquiry into the general administration of any local government in their states (Adeyemo, 2005).

2.1.6 The 1999 Constitution and Local Government Administration

Like the previous constitutions, i.e. 1979, and 1989, the 1999 constitution is purely military in term of its conception. It was not a people’s inspired constitution and that was one point which its detractors nursed against it. It can be safely said that the said constitution contained the seed of its own destruction. Be that as it may, in terms of its (1999 Constitution) relation to the Local Government Administration in Nigeria, one can say that the constitution preserve the tripartite system of government at the grassroots level (Awotokun, 2005). The executive the legislature and the judiciary. The executive is vested in the chairman, vice-chairman, supervisor or supervisory councillors, and the whole machinery of local government bureaucracy. The legislative functions are meant to be performed by the councillors, who represent the wards which make up the Local

Government Area. The judiciary on the other hand is streamlined with the federal and state and local government can avail itself of the judicial process available to it (Awotokun, 2005). There is one important thing to note from the onset, that is local government as a political institution has come to stay in the political landscape of Nigeria. This is because the 1999 constitution has recognized its existence. The constitution state inter alia The system of local government by democratically elected government councils is under this constitution guaranteed, and accordingly, the government of every state shall, subject to the Section 8 of this constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils (Federal Republic of Nigeria Constitution 1999). The import of this federation is obligatory under the constitution. Apart from this, there must be periodic elections into the councils of these local governments as is the case with the federal and states' political institutions. This becomes imperative as local governments are seen as training grounds for higher level of political responsibilities in the federation (Awotokun, 2005). The 1999 constitution for certain functions to be performed by every local government in the federation. This is contained in the Fourth Schedule of the constitution. The main functions of a local government council are as follows:

(a) The consideration and the making of recommendations to a State Commission on Economic Planning or any similar body on (Awotokun, 2005).:

◇ the economic development of the state, particularly in so far as the areas of authority of the council and of the state are affected; and

- ◇ proposals made by the said commission or body;
- ◇ Collection of rates, radio and television licenses;
- ◇ Establishment and maintenance of cemeteries,
- ◇ burial grounds and home for the destitute or infirm;
- ◇ Licensing of bicycles, trucks (other than mechanically propelled trucks), canoes, wheel barrows and carts;
- ◇ Establishment, maintenance and regulation of slaughter houses, slaughter slabs, markets, motor parks and public conveniences;
- ◇ Construction of maintenance of roads, streets, street lighting, drains and other public highways, parks, gardens, open spaces, or such public facilities as may be prescribed from time to time by the House of Assembly of a state;
- ◇ Naming of roads and streets and numbering of houses;
- ◇ Provision of maintenance of public conveniences, sewage and refuse disposal;
- ◇ Registration of all births, deaths and marriages;
- ◇ Assessment of privately owned houses or tenements for the purpose of levying such rates as may be prescribed by the House of Assembly of a States; and
- ◇ Control and regulation of:
 - ❖ out-door advertising and hoarding;
 - ❖ movement and keeping of pets of all description;
 - ❖ shops and kiosks;
 - ❖ restaurants, bakeries and other places for sale of food to the public

- ❖ laundries; and
- ❖ licensing, regulation and control of the sale of liquor.

The functions of a local government council shall include participation of such council in the government of such councils in the government of a state as respects the following matters:

- The provision and maintenance of primary, adult and vocational education;
- The development of agriculture and natural resources, other than the exploitation of minerals;
- The provision and maintenance of health services; and Assembly of the state (Awotokun, 2005.).

In the main, two broad set of functions are assigned to local governments namely the first part concerns the ones which are exclusively within the preview of the local governments, while the second set has to do with those the local governments are expected to perform concurrently with the state governments as partners in progress (Awotokun, 2005).

2.1.7 The Proposed New Constitution 2003 and Local Government Councils

The 1999 Constitution, as said earlier has been fundamentally flawed since the inception of the fourth republic on May 29, 1999. This was what probably informed the National Assembly in setting up a Committee with the view to amending the grey areas (Awotokun, 2005). The Committee of the National Assembly resolved that all the 774 Local Councils recognized by the Constitution should be scrapped. In order words local government with not be recognized constitutionally as autonomous third tier of

government. By this act, local government will revert to pre-1976 status, where they were mere appendages of state governments. Local Governments are to be funded and operated in line with the whims and caprices of their respective states. Hence, by implication they would no longer be funded from the federation account. By the proposed constitution all the local governments in the federation would be governed by laws passed by state assemblies and as asserted to by respective governors. In other words the laws to regulate the tenure of local government councils will vary from state to state. All said, there has been serious opposition to this state of affairs with regards to local governments. For instance, the National Union of Local Government Employees (NULGE) has opposed the idea of scrapping local governments from the constitution. An amendment to the constitution should attract the generality of the whole country through National Conference where Nigerians should have inputs into the proposed amendments (The Comet, 2003: 7). It seems as if the whole exercise looks as a witch- hunting of local governments. The state governors have never hidden their disdain for a well-structured local government since the inception of the fourth republic. Indeed, many of them see a federally – structured local government system as a parallel government to that of the state (Awotokun, 2005).

It is our considered opinion that the Speakers of House of Assemblies who worked in tandem with the National Assembly to phase out local governments from the constitution have no power to do so under the constitution. Scrapping local governments' amounts to changing the present structure of the country; no legitimate organ of governments has

been so elected to carry out such responsibility (Awotokun, 2005). One of the arguments to justify the scrapping of the Local Government in the constitution by Senate was the tendency by state governments to create more council. For instance, senate spokesman Senator Jonathan Zwingina said inter alia: ... the decision (to scrap local government) was informed by the alarming rate at which state governors, were multiplying councils, allegedly to satisfy their political interests if we eventually pass this constitution, then all requests for creation of local governments lying before the National Assembly will be killed such requests will now go back to the states (The Comet 2003: 1; Awotokun, 2005). The above argument can easily be punctured, in the sense that after the preliminary creation of regional and local government councils by colonial masters, the subsequent handling of states and councils creation were dictated more by subjective political expediency than the welfare, progress and interests of the people. With the exception of the then Mid-West region which was created through the connivance of the Northern People's Congress and the National Council of the Nigerian Citizens to cripple the Action Group in the Western Region, all states and local governments were the creations of the military from the civil war era of General Yakubu to Abacha era. It must be stressed that the civilian regimes in Nigeria have not been credited with ability to create but to liquidate. The import of our argument is that the proliferation of local governments as advanced by the political class is untenable as states too were proliferated on no known criteria in the past. Hence senate has no moral justification for condemning additional local governments (Awotokun, 2005).

2.1.8 Problems of Sustaining Local Government Autonomy

It has been difficult to practice an enduring autonomy in Nigerian Local Government. Even, though various institutional structures have been put in place since the 1976 Local Government reform, so as to concretize certain degree of autonomy, yet an amalgam of bottlenecks have been put on the ways of an emergent autonomous Local Government. These are constitutional provisions, political instability in the polity, financial/fiscal problems. It is an irony of fate that the military induced reforms in the Nigerian Local Government has its attendant contradictions, since the military structure is essentially hierarchical thus the operation of Local Government can not be isolated from such contradictions that characterized military hegemony (Adeyemo, 2005). Adeyeye (1996) opined that the Nigerian Federalism remains a formidable problem is evident in the various contradictions of military rule and the decrees they have spurned.

Similarly, the continuous overbearing role has been exercise by the states posses a tremendous threat to the autonomy of Local Government. These can be seen within the realm of various contradictory rule, instructions, supervisory powers passed down to the local councils, some of which are outside the constitutional jurisdictions of the Local Governments. Moreover, political instability that strongly manifested in the polity is among the militating factors against autonomy of the Local Government. This is due to the changing and swinging of political pendulum that oscillates between Sole-Administrator-ship to Caretaker Committee System and the elected government. This was however scuttled in quick succession arising from the fact that there was no stable

political system that could endure political socialization and actualization to germinate, and nurture the orientation for global acceptance. The most favored system was the Sole-Administrator-ship that further ceded the Local Government to state control and erode its autonomy (Oyelakin, 1992; Adeyemo, 2005). The usurpation of Local Government functions and revenue sources by State Government is another serious areas of eroding the autonomy of the Local Government. More-often than not, parallel revenue boards, through the states unwittingly usurps and erode the revenue yielding areas of the Local Government. It is not uncommon to see such Boards to include market, motor parks, building plan approvals and forest royalty collection fund etc (Adeyemo, 2005).

Furthermore it is appreciated that finance is the bedrock of any meaningful development. A balance sheet of the comparative performance of Nigerian Local Governments is nothing to write home about. Most of the Local Governments exist only for payment of salaries, as they depended on the federal allocation, which in most cases are deducted from sources for the payment of Primary School Teachers Salaries. Even the mandatory 10percent Internally Generated Revenue of the State to Local Governments are not forthcoming. All said and done, other contradictions that tend to erode local government autonomy include the inability of the local governments to meet the finances of their constitutional responsibilities. Similarly, the heavy cost of implementing the separation of power poses yet another threat to local government autonomy. It was also not uncommon for most of the local governments to embark on unbudgeted expenses (as imposed on them by higher levels of government) especially on National Orientation Agency,

National Electoral Commission, National Population Commission, Security Agencies, Poverty Alleviation Program and so on. Political instability and policy inconsistencies are yet another problem. All these additional responsibilities constitute financial burden on most local governments. The downtrend in the national economy together with the ever-increasing wage bills has its effect on the local governments and the so called autonomy (Adeyemo, 2005).

2.2 Theoretical Framework

There exists an array of eminent theorists that produced extensive interactions in the field of local government in plural societies/states. The Nigerian state is a plural state and given the focus of this study, which is to examine the extent of local government autonomy, the Marxist theory has been adopted as the theoretical framework.

The Marxist analysis sees local government as an instrument of the federal and state government, which acts either as a direct means of securing legitimacy for the ruling class or securing praetorian compliance through suppression. This theory argues that local government is a key part of the capitalist society. Being part of the whole capitalist state which is a relatively autonomous instrument of class domination helps the state in performing its primary role; succinctly, the state is a product of society at a certain stage of development, it is the admission that this society has become entangled in an insoluble contradiction within itself, that it has split into irreconcilable antagonism which it is powerless to dispel. But so that these antagonism, these classes with conflicting economic interests might not consume themselves and society in fruitless struggles, it becomes

necessary to have power, seemingly standing above society, that would alleviate the conflict and keep it within the bounds of “order” and this power, arose out of society but placing itself more and more from it, is the state. Using the Marxist theory attempts to demonstrate in his book that an initially left inclined local authority, is obliged by the nature of capital to suppress agitation for more egalitarian policies. The analysis of the autonomy of local government in Nigeria in terms of the interest of capital and pushing the argument, draw greatly on the studies of Marxist orientation. The local government autonomy in this class society is, therefore, more apparent than real, for the local government remains the instrument for the dominant classes for exploitation and suppressing the subordinate class.

It is within the context of the specific character or nature of the neocolonial state of Nigeria that no one can understand and explain the ugly incidence whereby the state uses local government as one of its agents of suppression. It is based on this context that the realization of the objectives for the guidelines for local government reforms in Nigeria has been constrained by several factors such as personnel problems, the problem of corruption, the loss of autonomy, financial problems, etc.

The relevance of this theory to the study on local government autonomy in Nigeria. A case study of Ovia North-East local government can be best appreciated by its focus or emphasis to serve as an instrument of rural development. The primary purpose of local government is to bring government to the local communities so that the local people can participate fully in the process of government to provide essential local services.

The establishment of local government fosters local democracy. As the government is grassroots-based consisting of small units of local communities upon which political powers are developed to cater to their needs, it engenders greater participation of people in the process of government. This includes selection of councilors by the electorate, serving as councilor, and campaigning for local government elections. With this greater involvement in the process of local government, the people develop a keen interest in the conduct of local affairs and politics generally; local government activities generate political consciousness and awareness and further enhance the incidence of political participation. The local inhabitants take interest in the discussion of the affairs of the government and sometimes make valuable inputs into the process of government. The councilors have face-to-face relationships with the people and hence through regular and constant interaction and informal discussions with them, identify their interests, needs, problems, and priorities which are channeled to the appropriate level of government (local, state, federal) for consideration. As the government is nearer to the people, they are fully aware of its politics and activities. Hence the people can react against bad policies, corruption, and maladministration.

CHAPTER THREE

RESEARCH METHODOLOGY

3.0 Introduction

This study is aimed at examining the autonomy of local government with focus on Ovia North East local government of Edo state. The method adopted for this work reflects the

researcher's sense of originality and research capability. The method of enquiring data, collection, questionnaire design and data analysis techniques will validate this fact.

3.1 Area of Study

Ovia North-East is a Local Government Area of Edo State, Nigeria. Its headquarters is in the town of Okada. It had an area of 2,301 km and a population of 153,849 at the 2006 census. The major communities in the LGA are Okada, Uhen, Utese, Okokhuo, Uhiere, Isiuwa, Ekiadolor, Oluku, Iguoshodin, Utoke, Oghede, Egbeta, Ora, and Ogbese.

Ovia North-East Local Government Area counts as one of the serving eighteen local government areas with its administrative headquarters in Okada town, thus falling within the southern senatorial district of Edo state also called Edo south district alongside Ovia South-west, Egor, Oredo, Orihionmwon, Ikpoba Okha and Uhumwode. Ovia North-East Local Government constitutes the federal constituency together with Ovia-south-west government areas.

The local government area was created from the district council under the local government law in 1976, the local government which lies across the larger part of the local government. Ovia North East local government area is one of the largest local area in Edo State in term of land mass.

3.2 Research Design

Research designs are perceived to be an overall strategy adopted by the researcher whereby different components of the study are integrated in a logical manner to effectively address a research problem. In this study, the researcher employed the survey

research design. This is due to the nature of the study whereby the opinion and views of people are sampled.

3.3 Population of the Study

According to Udoyen (2019), a study population is a group of elements or individuals as the case may be, who share similar characteristics. These similar features can include location, gender, age, sex or specific interest. The emphasis on study population is that it constitute of individuals or elements that are homogeneous in description.

This study was carried out to examine the autonomy of local government in Nigeria: issues and way forward using one local government area in Edo state as a case study. The staff of the selected Local Government, Edo State form the population of the study. Statistics derived from the Local government secretariat of the selected local government areas in Edo State shows the population of the staff is 364.

3.4 Sample Size Determination

A study sample is simply a systematic selected part of a population that infers its result on the population. In essence, it is that part of a whole that represents the whole and its members share characteristics in like similitude (Udoyen, 2019). In this study, the researcher adopted the simple random sampling (SRS.) method to determine the sample size.

3.5 Sample Size Selection Technique and Procedure

The Taro Yamane (1967:886) provides a simplified formula to calculate sample sizes.

Assumption

95% confidence level

$$P = .5$$

$$n = \frac{N}{1 + N(e)^2}$$

n= sample size

N= Population of the study

e= level of significance

1= Constant

$$n = 364 / 1 + 364 (0.05)^2$$

$$n = 364 / 1 + 364 (0.0025)$$

$$n = 364 / 1 + 5.5$$

$$n = 150$$

Therefore, for this study, the sample size is 150

3.6 Instrument for Data Collection

The instrument that will be used for this study will be the questionnaire. The questionnaire will be generated in line with research questions in a simple and clear grammar to able the respondent understand and respond to the research questions. In this study the researcher will employ other instruments for data collection such as personal observation.

3.7 Sources of Data Collection

The research instrument used in this study is the questionnaire. A three minutes survey containing 3 questions were administered to the enrolled participants. The questionnaire was divided into two sections, the first section enquired about the responses demographic or personal data while the second sections were in line with the study objectives, aimed at providing answers to the research questions. The questionnaire will be well structured, which enables the respondents to answer (Agreed, Strongly agreed, disagreed, strongly disagreed and undecided).

3.8 Method of Data Analysis

The responses were analyzed using the frequency tables, which provided answers to the research questions.

3.9 Validity and Reliability of the Study

The reliability and validity of the research instrument was determined. The Pearson Correlation Coefficient was used to determine the reliability of the instrument. A coefficient value of 0.68 indicated that the research instrument was relatively reliable. According to (Taber, 2017) the range of a reasonable reliability is between 0.67 and 0.87.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.1 Data Presentation

SECTION A

Table 4.1: Demographic data of respondents

Demographic information	Frequency	percent
Gender		
Male	80	53.3%
Female	70	46.7%
Religion		
Christian	150	100%
Muslim		
Age		
20-25	20	13.3%
25-30	80	53.4%
30+	50	33.3%
Education		
Diploma	20	13.3%
BSC	100	66.7%
Masters	30	20%
PhD		

Source: Field Survey, 2024

4.2 Answering Research Questions

SECTION B

To critically cross examine if the autonomy of local government in Nigeria is achievable.

Question 1: The autonomy of local government in Nigeria is achievable

Table 4.2: Respondent on question 1

Options	Frequency	Percentage
Strongly Agree	20	13.3
Agree	30	20
Disagree	40	26.7
Strongly Disagree	60	40
Total	150	100

Field Survey, 2024

From the responses obtained as expressed in the table above, it indicates that 20 respondents strongly agree, 30 respondents agree, 40 respondents disagree and 60 respondents strongly disagree. The percentage of respondents who supported the view was 33.3% opposed to 66.7% of those who disagreed at this point. Results from the analysis indicates that local government autonomy in Nigeria is unachievable.

Question 2: The legal provisions on the constitution has an impact on the autonomy of local government

Table 4.3: Respondent on question 2

Options	Frequency	Percentage
Strongly agree	45	30
Agree	50	33.3
Disagree	25	16.7
Strongly Disagree	30	20
Total	150	100

Field Survey, 2024

Table 4:3 indicates that 45 respondents strongly agree, 50 respondents agree, 25 respondents disagree and 30 respondents strongly disagree. The percentage of respondents who supported this view was 63.3%, as opposed to 36.7% of those who disagreed. So it can be accepted that the legal provisions of the constitution has an impact on the autonomy of local government.

Question 3: The local government have the authority to make decisions that align with the needs and preferences of their communities

Table 4.4: Respondent on question 3

Options	Frequency	Percentage
Strongly agree	20	13.3
Agree	30	20
Disagree	30	20
Strongly Disagree	70	46.7
Total	150	100

Field Survey, 2024

From the responses obtained in the table above, 20 respondents strongly agree to this view, 30 respondents agree, 30 respondents disagree, 70 strongly disagree. The percentage of respondents who agreed to this view was 23.3% as oppose 66.7% who disagree. This response indicates that the local government does not have the authority to make decisions that align with the needs and preferences of their communities.

SECTION C

To study the effort of the federal government of Nigeria in making local government autonomous.

Question 1: The federal government have made initiatives or efforts to enhance the autonomy of local government

Table 4.5: Respondents on question 1

Options	Frequency	Percentage
Strongly agree	25	16.7
Agree	40	26.7
Disagree	30	20
Strongly Disagree	55	36.6
Total	150	100

Field Survey, 2024

From the responses in the table above, 25 respondents strongly agree, 40 respondents agree, 30 respondents disagree and 55 respondents strongly disagree. The percentage of respondents who supported this view was 43.4% and 56.6% opposed it. This response shows that the federal government has not made any effort to enhance the autonomy of local government.

Question 2: Federal government can allow the local government to be an autonomous entity

Table 4.6: Respondents on question 2

Options	Frequency	Percentage
Strongly agree	20	13.3
Agree	40	26.7
Disagree	70	46.7
Strongly Disagree	20	13.3
Total	150	100

Field Survey, 2024

The response from the table obtained above, 20 respondents strongly agree, 40 respondents agree, 70 respondents disagree and 20 respondents strongly disagree. In addition, the percentage of those who support this view was 40% as opposed by 60% of respondents. This shows that the federal government has no plans to allow the local government to be an autonomous entity.

Question 3: The federal government has put in place various mechanisms to ensure the implementation of local government autonomy

Table 4.7: Respondents on question 3

Options	Frequency	Percentage
Strongly agree	15	10
Agree	30	20
Disagree	40	26.7
Strongly Disagree	65	43.3
Total	150	100

Field Survey, 2024

The table shows that 15 respondents strongly agree, 30 respondents agree, 40 respondents disagree and 65 respondents strongly disagree. The percentage of respondents that support this view was 30% and 70% opposed this view. This information shows that the federal government has not put in place mechanisms to ensure the implementation of local government autonomy.

SECTION D

To analyze if the local government has and will have any positive effect on the populace

Question 1: Local government impact meaningfully on the lives of the populace

Table 4.8: Respondents on question 1

Options	Frequency	Percentage
Strongly	45	30
Agree	80	53.3
Disagree	15	10
Strongly Disagree	10	6.7
Total	150	100

Field Survey, 2024

From the response obtained in the table above, 45 respondents strongly agree, 80 respondents agree, 15 respondents disagree and 10 respondents strongly disagree to this point. The percentage of those who supported this view was 83.3% as opposed by 16.7%. This response shows that the local government has made a meaningful impact on the lives of the populace.

Question 2: The autonomy of local government can promote effective grassroots governance and development

Table 4.9: Respondents on question 2

Options	Frequency	Percentage
Strongly agree	30	20
Agree	90	60
Disagree	10	6.7
Strongly Disagree	20	13.3
Total	150	100

Field Survey, 2024

The table above shows that 30 respondents strongly agree to this view, 90 respondents agree, 10 respondents disagree and 20 respondents strongly disagree. The percentage in addition shows that 80% of respondents support this view as 20% respondents oppose it. This response shows that the autonomy of local government promotes effective grassroots governance and development.

Question 3: Grassroots development has an impact on the overall development of the country

Table 4.10: Respondents on question 3

Options	Frequency	Percentage
Strongly agree	90	60
Agree	20	13.3
Disagree	30	20
Strongly Disagree	10	6.7
Total	150	100

Field Survey, 2024

The table shows that 90 respondents strongly agree, 20 respondents agree, 30 respondents disagree and 10 respondents strongly disagree. The percentage of respondents that support this view was 73.3% as opposed by 26.7 respondents. The response shows the grassroots development has an impact on the overall development of the country.

SECTION E

To assess the challenges facing the autonomy of local government in Nigeria

Question 1: The influence of the higher levels of government affects the decision making process of local government

Table 4.11: Respondents on question 1

Options	Frequency	Percentage
Strongly agree	65	43.4
Agree	30	20
Disagree	20	13.3
Strongly Disagree	35	23.3
Total	150	100

Field Survey, 2024

From the responses obtained as expressed in the table above, it indicates that 65 respondents strongly agree, 30 respondents agree, 20 respondents disagree and 35 respondents strongly disagree. The percentage of respondents who supported the view was 63.4% opposed to 36.6% of those who disagreed. Results from the analysis indicates that the influence of the higher levels of government affects the decision making process of local government.

Question 2: Financial constraints have hindered local government ability to operate independently

Table 4.12: Respondents on question 2

Options	Frequency	Percentage
Strongly agree	40	26.7
Agree	60	40
Disagree	30	20
Strongly Disagree	20	13.3
Total	150	100

Field Survey, 2024

Table 4:12 indicates that 40 respondents strongly agree, 60 respondents agree, 30 respondents disagree and 20 respondents strongly disagree. The percentage of respondents who supported this view was 66.7%, as opposed to 33.3% of those who disagreed. So it can be accepted that financial constraints hinders local government ability to operate independently..

Question 3: Administrative inefficiencies and lack of technical expertise impede the autonomy of local government

Table 4.13: Respondents on question 3

Options	Frequency	Percentage
Strongly agree	30	20
Agree	70	46.7
Disagree	20	13.3
Strongly Disagree	30	20
Total	150	100

Field Survey, 2024

From the responses obtained as expressed in the table above, it indicates that 30 respondents strongly agree, 70 respondents agree, 20 respondents disagree and 30 respondents strongly disagree. The percentage of respondents who supported the view was 66.7% opposed to 23.3% of those who disagreed. Results from the analysis indicates that administrative inefficiencies and lack of technical expertise impedes the autonomy of local government.

4.3 Findings and Discussion

The 1999 constitution of the federal republic of Nigeria (section 7) empowers the states to exert sufficient control over the local governments under their jurisdiction. This arrangement neither promotes the autonomy of local governments nor protects staff from the whims of state government. State governments have, therefore, by that power exerted tremendous control over staff in the local governments: ranging from recruitment, through promotion, to postings. Based on these findings Nwabueze (1983) asserted that

autonomy would only be meaningful in a situation where each level of government is not constitutionally bound to accept dictates or directives from another. There is no doubt that one of the cardinal objectives of the 1976 local government reform was to devolve governmental powers to the grassroots by making local government areas the third tier of government. This tier status was strengthened first by the 1979 constitution which made elaborate provisions to this effect by making it explicit that the Nigeria federal structure is “three-tier” viz. federal, state, and local. However, the same constitution almost explicitly gives state governments certain fundamental regulatory supervisory and statutory fiscal powers over the local government, which encumbers the exercise of genuine autonomy by the latter. In addition, Davey (1991) argued that local government autonomy is primarily concerned with the question of responsibilities, resources and discretion conferred on the local authorities. It is thus, presumed that local government must possess the power to take decisions over its internal affairs independent of external control within the limits of power laid down by the law.

For instance, section 7 sub-section 1 provides “the system of local government by democratically elected local government council under this constitution is guaranteed, and accordingly, the government of every state shall ensure under a law which provides for the establishment, structure, composition, finance, and functions of such councils. Indeed, Nwabueze (1983) and Ugwu (2003) in Asaju (2010) argued that the constitutional power to create local government, define its structure, composition and functions belong to the state governments, this provision has been guaranteed in the 1989

constitution, which was partially in operation during the third republic (1991-1992), and the Draft constitution of 1999 as submitted by the national constitution conference. The 1989 constitution elaborates on the state government's power over the local governments as follows: "Subject to the provisions of chapter viii of this constitution, the House of Assembly of a state shall enact a law providing for the structure, composition, revenue expenditure and other financial matters, staff meeting and other relevant matters to the local governments in the state (Section of sub-section no, 1989 constitution)". Furthermore, although all the communities in Nigeria are constituent parts of one local government area or another, (be it rural or urban), the power of appointment, deposition, and control of Traditional council members does not in any significant way reside in the Local Government Authority, notwithstanding the subordination of the functions of the traditional rulers to local Government Authorities as contained in section (1) of the Fourth Schedule.

This concurrent power over traditional rulers leaves the local government without authentic control over the socio-cultural matters of their constituent communities. Since the traditional officers tend to owe allegiance to the state government which has more effective powers to determine the fate of their tenure. Section 8 sub-section (1) provides as follows: subject to peculiarities of each state, the House of Assembly of the state may enact a law for the establishment of Traditional council for a local Government Area on a group of local Government Area. Each of such councils shall be presided over by a Traditional Ruler appointed via manner prescribed by law. Along with the above, the

Draft constitution of 1999 further provides the consent of the state council of chiefs shall be sought in matters of creating new chieftaincy or up-grading of any chief or making of any law which may improve the security of tenure or dignity of the traditional institution (section 8, subsections). Thus, nowhere is mention made of the input of the local government chairman, even though traditional rulers are deemed to perform their cultural and statutory functions under the supervision of the relevant local Government Authority. Another finding from our study is that finance is a major problem confronting local governments especially in developing countries like Nigeria. There is a doubt that the ability of the local governments to perform their constitutionally assigned functions depends on the funds available to them. Besides, apart from arbitrary deductions from local government allocations through the Joint Account, some state governments compelled local governments to embark on ridiculous projects that have no direct bearing on the local communities under the pretext of ensuring uniformity in development (Asaju, 2010).

The view that section (1) sub-section (8, 9, and 10) of the Decree subordinated the financial fortunes of the local government to the full glare and, sometimes scrutiny of the state government. Even though the statutory allocations due to the local government councils were paid to them directly, the mere fact that both the National and State Assemblies should by the provisions of section 1 (8a and B), make provisions for statutory allocations of public revenue to the local government councils within the state, was limiting factor.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.1 Summary

In this study, our focus was to examine the autonomy of local government in Nigeria: issues and way forward using one local government area in Edo State as a case study. The study specifically was aimed at examining if the autonomy of local government in Nigeria is achievable; study the effort of the Federal government of Nigeria in making local government autonomous; and analyze if the local government has and will have any positive effect on the populace.

The study adopted the survey research design and randomly enrolled participants in the study. A total of 150 responses were validated from the enrolled participants where all respondent are active workers in the selected local government area in Edo state. The findings revealed that the autonomy of local government in Nigeria is unachievable any time soon; The Federal government of Nigeria is not making any effort to make local government autonomous; and the local government has positive effect on the populace.

5.2 Conclusion

Literature and experience have made it clear that statutory and constitutional provisions, no matter how fool-proof they may be cannot guarantee true autonomy for the local

government as a tier unless the political will exists on the part of a statesman to rationalize and stabilize this very critical level of government. Both the state and the federal levels have over time tended to see the local government tier as a child that needs at times to be treated with a sense of paternalism and to some extent (and this is more often than not) as an instrument for political and material aggrandizement. Also, based on the findings local governments lack autonomy because of inadequate finance. The increases in local revenues as a result of the allocation from the federal account and the VAT look significant.

However, if we consider the demand on the financial resources of the local government, they still do not have adequate revenue, their financial stability has been weakened by frequent increases in number through fragmentation. It would however, appear that devolution has not worked smoothly and successfully in Nigeria's local government. Freedom has thus been greatly circumvented by state government actors. Political and financial institutional arrangements for such performance have played into the hands of the state governments and local government political leadership and bureaucracy. While the state government is empowered by the constitution to control the purse, and play the superior governmental role in the relationship, leadership at the local level has not been able to translate political devolution into tangible benefits, thus becoming a liability to the system. For local government autonomy to be appreciated, state encroachment should be reduced or completely erased so that the grass-root development which forms the principal objectives for the creation of local government can be achieved.

5.3 Recommendations

Based on the study findings, the following recommendations became necessary;

- Local governments in Nigeria need adequate autonomy that can facilitate their operations and development of the localities. This should emanate from institutionalized democratic process of elections for representative local government councils as and when due. This should be in line with what obtains at the State and Federal government levels where elections are timely conducted.
- State governments should extend the rightful financial allocations to local governments as the Federal government does. State governments should also totally eliminate all forms of interference with local government's revenue from the federation account, an interference documented by many writers (e.g., Aghayere, 1997; Omoruyi, 1995; Ola and Tonwe, 2005).
- Nigeria needs democratic consolidation as a formidable partner with the rule of law that can help to entrench the constitutional provisions on local government. As we have seen in this study, there are many provisions in the 1999 Constitution that are disregarded. For example, section 7 of the 1999 Constitution guaranteeing, 'The system of local government by democratically elected local government councils' has not been respected by the State and Federal governments. Such provisions, including that on the establishment of a joint State – Local government account, can have easy recognition, acceptance and utilization by the Federal and State governments if a democratic culture is in vogue in the country.

- To enhance the efficiency and effectiveness of the local government system, there is an urgent need to review the constitution and delineate areas of intergovernmental frictions especially in electoral matters, creation of local governments, tenure of councils and finance. The council's elections should be conducted as and when due to avoid a democratic vacuum that is dangerous to the local government system. The political party leaders should insist on the performance of local councils rather than demanding patronage of the council leadership.
- Given the weak revenue base of the local government as the third tier government, state government unconstitutional responsibilities not backed up financially, the state governors should not encroach on the lucrative responsibilities of the local governments or misappropriate local government funds in any form similarly and local governments should creatively establish avenues for revenue generation to avoid depending heavily on statutory allocations.
- The state joint local government account should be scrapped. This will reduce the problems of illegal deductions, extra-budgetary imposition, under allocation, etc. it will then be easy to lay the blame for non-performance and financial inappropriate squarely at somebody's table.

Due to the above and to understand and appreciate the issue of local government autonomy, I believe that if the above recommendations are strictly adhered to, then Ovia North East local government area which is the area of this study will benefit and perform

its functions more efficiently and so justify its status as the third tier of government in the federal system.

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APPENDIX

DEPARTMENT OF PUBLIC ADMINISTRATION FACULTY OF SOCIAL SCIENCES UNIVERSITY OF BENIN BENIN CITY

QUESTIONNAIRE

PLEASE TICK [✓] YOUR MOST PREFERRED CHOICE ON A QUESTION
SECTION A
PERSONAL INFORMATION

Gender

Male [] Female []

Age

18-25 []
20-30 []
31-40 []
41 and above []

Educational level

WAEC []
BSC/HND []
MSC/PGDE []
PHD []

Marital Status

Single []
Married []
Separated []
Widowed. []

Duration of Service

0-2 years. []
2-5 years. []
5 and above. []

Section B: To critically cross examine if the autonomy of local government in Nigeria is achievable

Question 1: The autonomy of local government in Nigeria is achievable

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Question 2: The legal provisions on the constitution has an impact on the autonomy of local government

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Question 3: The local government have the authority to make decisions that align with the needs and preferences of their communities

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Section C: To study the effort of the federal government of Nigeria in making local government autonomous

Question 1: The federal government have made initiatives or efforts to enhance the autonomy of local government

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Question 2: Federal government can allow the local government to be an autonomous entity

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Question 3: The Federal government has put in place various mechanisms to ensure the implementation of local government autonomy

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Section D: To analyze if the local government has and will have any possible effect on the populace

Question 1: Local government impact meaningfully on the lives of the populace

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Question 2: The autonomy of local government can promote effective grassroots governance and development

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Question 3: Grassroots development has an impact on the overall development of the country

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Section E: To assess the challenges facing the autonomy of local government in Nigeria

Question 1: The influence of the higher levels of government affects the decision making process of local government

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Question 2: Financial constraints have hindered local government ability to operate independently

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	

Question 3: Administrative inefficiencies and lack of technical expertise impede the autonomy of local government

Options	Please tick
Strongly Agree	
Agree	
Disagree	
Strongly Disagree	