

The Local Government Creation Under Democracy

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Abstract

The primary goal of creating local governments under democracy is to implement democratic ideals at the grassroots level. Establishing a freely chosen local government council is intended to improve grassroots service delivery in an efficient and effective manner. In order to do this, the study looks at how local governments are formed in Nigeria under the democratic system. The existing body of relevant literature was reviewed. The old-fashioned design was applied. The study used secondary data that was subjected to a qualitative content analysis using the content analysis technique. The analysis revealed that the establishment of local governments, whether democratic or military, has not fulfilled its constitutional mandate. The councils of the local governments that are democratically elected are not particularly noteworthy. Among other recommendations made by the study were to stop the state government from interfering with local governments' finances and to stop encouraging more local governments to step up during this critical period by reviewing the allocation upward, which would allow them to continue providing the services that the grassroots population needs.

Keywords: local government; democracy; creation; service delivery

Introduction

Anywhere in the world, local government establishment is expedient because it is necessary to support grassroots economic growth. The ability of local governments to have autonomy fosters a sense of satisfaction, safety, and belonging among its citizens determines its significance (Akindele et al., 2018). To date, every type of government, political system, or regime has made sure that this objective is accomplished. The idea of local government contains a strategy for guaranteeing both political and administrative advancement at the national level (Chiedozie, 2019). Regardless of the form of government in place, local government has long been seen as the foundation for national administration, development, and integration (Gaubu, 2020). All plural societies worldwide have some form of local government, though the exact type, degree of autonomy, historical background, and constitutional status vary from nation to nation. These differences have led local government studies academics to take a fresh look at the idea of local government (Iheanacho, 2019; Orhero, 2021). In the Nigerian context, local government is the third level of governmental organisation and serves as the basis for the creation of other governance structures. Because of this, it truly serves as a catalyst for grassroots engagement and development. Every system of government has a grassroots governance mechanism and process, and its main goal is to have an impact on people's lives (Ezeani, 2016).

According to Odalonu (2018), a local government is a unit of government that is created by law and has a representative council that exercises political authority over certain areas or spaces. It is impossible to overstate the significance of such an organisation in promoting the necessary national consciousness, unity, and relative uniformity in addition to the safeguarding of peculiar variations given the multiplicity of cultures, diversity of languages, and unique requirements and means. Nonetheless, a large proportion of people who live in rural areas are closer to local governments than they are to any other level of government. Compared to the federal and state governments, they are better positioned to understand the actual issues facing the populace and act as the most efficient catalyst for positive socioeconomic and political development (Adeyemi, 2017). But the main reason local government was established was because it provided a channel for the public and the government to interact, relate, and, faster than any other method, settle disputes that might have erupted in the structure (Okoli, 2016). The push for municipal autonomy is necessary in order to maximise citizen participation, promote balanced development, and elicit a response from the government. A type of political as well as administrative framework known as local government is used to support decentralisation, national integration, effective governance, and a sense of community at the local level. Globally, local governments function as administrative units (Agagu, 2018).

It is believed that local government can solve all of the various issues faced by a diverse range of culturally diverse individuals. Even though this level of government has always been significant, there appear to have been some obstacles affecting its effectiveness recently. These obstacles include, among other things, bribery and corruption, embezzlement,

the glaring lack of appropriately qualified and trained staff, and political meddling by both the state and federal governments (Adeyemi, 2017). A local authority is a territorial unit with some degree of autonomy that is established by a state's constitution or broad regulations to carry out specific tasks within predetermined or restricted geographic boundaries. Agbakoba (2019) defines a local government as a political as well as administrative body that has the legal authority to rule over a designated area. It entails a philosophical dedication to the notion of grassroots community involvement in governance. In actuality, local government initiatives are where democracy itself began and grew. For this reason, the judicial, legislative, and executive branches of these governments are, if applicable, appointed or elected. The establishment of local government in Nigeria aims to bring the governing body closer to the populace.

There is no doubt in my mind that the Nigerian federal government's description of local government is primarily theoretically sound and people-oriented. In order to supplement the efforts of the federal and state governments, it speaks of representative councils having significant authority over local affairs and the ability to provide services and carry out projects in their communities. As the major control of local governments is directed towards personnel, institutional, and financial matters, among other things, the definition also acknowledges the necessity of local government autonomy (Guideline on Local Government Reform, 1976). The goal of the study was to determine whether or not local government establishment under democratic regimes is service-oriented and not merely an adjunct of the state government. Given the current state of the nation's economy, it is not practical to create more local governments; instead, more revenue streams must be opened in order to provide effective grassroots service delivery.

Literature Review

Concept of Local Government

The perception of local government as the third tier authority is essentially that of grassroots governance. According to Adeyeye (2019), local governments are viewed as non-sovereign communities with legal standing who serve as the central government's administrative representatives. In a similar spirit, Ezeani (2016) reports that local government is viewed as a genuine catalyst for growth and community involvement in the political process. According to Awa (2017), local government has historically been understood as a branch of government that was established by a country or states as an underling authority with the intention of decentralising political power as needed. Following the same line of reasoning, Ogunna (2019) believes that local government can be seen as a political authority that is specifically established for local communities by law or constitution. According to Akpan (2018), local government is a democratic process at the grassroots level that divides the nation into smaller localities for administrative purposes. According to Hill (2014), local government is composed of a system of territorial units with clearly defined borders, a legal identity, a statutory structure, authority and responsibilities outlined in both special and general statutes, and a certain amount of financial autonomy. According to Oyeduran (2017), local government is the result of the general public's involvement in the decision-making process within local boundaries. He added that local residents who are chosen by their fellow citizens reside there. According to Mgbachi (2019), a local government is a political subdivision of a country that is established by law as well as significant authority over local affairs, including the authority to levy taxes and require labour for designated purposes. According to Agba (2016), local government was established in Nigeria as a third-tier administrative structure to decentralise governance, bring the government nearer to the people, and provide social services that are essential for fostering national development.

According to Agagu (2018), local government is defined as the administration of a specific municipality or location by duly elected bodies tasked with carrying out executive and administrative functions. According to Fajobi (2015), local government has the authority to delegate authority and decentralise political power under the state. According to Wraith (1964), local government is an elected council-based system of government whose primary goal is to deliver services with a high degree of independence. In the words of Emezi (2017), local government is understood as a system of local leadership within local communities that is set up to uphold law and order, offer certain amenities, and promote cooperation and participation from residents in order to improve their standard of living. A specific territory and populace, an institution as well as structure for legislative, executive, or administrative purposes, a distinct legal identity, a range of powers and functions authorised by delegation from the relevant central or intermediate legislative body, and within the bounds of such entrusted autonomy are all defined as local government, according to Whallen (1976). According to Bello-Ima (2015), local government is a branch of the public sector that is set up with specific roles and duties, an administrative framework, and funding sources for both internal operations and carrying out its legally mandated duties for the benefit of its constituents. According to Abe and Omotosho (2019), local government is viewed as a tier of government with legally defined powers and responsibilities for overseeing and handling public affairs that are also defined for the sole benefit of the local populace. Local government is defined as government at the local level carried out by representation councils created by legislation to exercise particular powers within designated areas in the 1976 Local Government Reform Handbook.

In the same vein, Quadri (2013) points out that these powers should grant the council significant authority over local matters in addition to the staff, institutional, as well as financial powers to direct service provision, initiate, and decide on and carry out projects that will supplement local, state, and federal government activities. They should also ensure that local initiatives as well as responses to local needs and circumstances are maximised through the reduction of functions to these councils and According to Wada and Aminu (2018), local governments need to be granted specific authority in order to carry out a variety of legally mandated tasks. Additionally, it must have a great deal of autonomy to carry out a variety of tasks, as well as to organise, create, and carry out its own policies, projects, programmes, and rules that are appropriate for the needs of the local community. According to Agbakoba (2019), a local government is an administrative and political body that has the legal authority to manage a particular area. He added that it requires a -

philosophical commitment to the notion of grassroots community participation in government. According to Hickey (1966), local government is the administration of services and the enforcement of regulations by a locally elected council and the officials who report to them. It is overseen by the central legislative and executive branch through statutory and inspectorate means, but it also has sufficient financial and other independence to allow for a reasonable amount of local initiative and policymaking. According to Hugh (1976), a local government consists of the following elements: a specific territory and population; an institutional framework for legislative, executive, and administrative purposes; it is a distinct legal entity; and it has a range of powers and functions that are delegated by the relevant central as well as intermediate legislative body and fall under their purview.

Local government is defined as a political subdivision of a country (or a federal system or state) that is constituted by law and has significant control over local affairs, including the authority to impose taxes or to employ labour for specified purposes, according to the United Nations Office for Public Administration (1961). This body is typically chosen locally through elections or other means. Local government is defined by Halidu (1993) as governmental/administrative entities situated closer to the populace. Golding (1975) posits that it is the control of their affairs by those in charge of their own neighbourhood. He even more sees local government as a genuine agent of regional services mobiles of neighbourhood based resources, both material and human, and organisers of grassroots efforts responding to an extensive spectrum of local needs and aspirations. Encouraging democratic development within the municipality area is the main goal of this. According to Adeyemi (2017), local government is primarily a product of time and space. According to Lawal (2019), local government is the level of government that is nearest to the people and has jurisdiction over matters pertaining to them. According to Barber (2016), local government is the power to make decisions and carry them out inside a defined area. According to Bandhu (2014), local government is an administration of services that is distinct from state as well as central services and is established under state legislation in a village, district, city, or urban area by representatives of the local populace who are substantially autonomous in nature. In the opinion of Clarke (2017), local government seems to be the arm of a country or state that primarily handles issues that affect the people who live in a specific area or district. According to Rao (2015), local government is the branch of the government that primarily handles matters pertaining to the local community and is run by authorities who report to the state authority but are chosen by eligible citizens independently of the latter.

According to Robinson (2014), local government refers to the idea of a territorially non-sovereign community with the organizational capacity and legal authority to manage its own affairs. According to Gokhate (2014), municipal government is the administration of a particular area by the residents themselves, via representatives they elect. According to Pattabhiram (2011), local government is any area less than the state that is administered by a group of representatives of the local populace. It has a fair amount of authority, collects at least some of its funding from local taxes, and spends its revenue on services that are considered local and thus separate from state along with central services. According to Appadorai (1975), local government is run by duly elected bodies tasked with making decisions and carrying out administrative and executive functions pertaining to the residents of a specific area or district. Thus, the idea of local government entails a commitment to grassroots democracy and involvement of citizens in the political process. This means that the upper echelons of government will legally and administratively decentralise authority, power, and personnel to a community with its own will, carrying out specific tasks as part of the larger national framework.

Local Government and Democratic Governance

Nigerians welcomed independence with great expectations between 1960 and 1967, especially because they wanted local government to be participatory. Regretfully, the First Republic saw a decline in their financial situation, administrative setup, and democratic practices after inheriting the British local government system. The following two regional instruments were used to document the period's setbacks in the local government's democratic governance: First, according to Obi (2021), municipal governments in the country during this time were regionalized and ran differently depending on the region. As the Native Authority reemerged and the traditional rulers doubled as both the customary rulers as well as regional political actors, the Northern region's creation of the Provincial Administrative Law of 1962 severely limited the authority of the local government in the area. Igbuzor (2020) claims that the Local Government (Amendment) Law of 1960, which designated the Local Government Service Board as the region's supervising body, eliminated the majority of the authority held by local government councils and curtailed their duties in the Western region.

The situation was made worse by the Western region catastrophe of 1962-1965, which brought chaos and the collapse of the region's administrative system. The Ministry of Local Government was utilised as a regional body to control the operations of local government councils and make the councils into mere extensions of the region, so the Eastern regions were not excluded from this system. Second, Nigeria's local government councils were weakened by the rise of local party politics and excessive party politicisation in the local governments. As available in various regions, the municipality's public service board as well as ministry of local government acted as regional agents to control the affairs of local governments (Orhero, Okereka & Ogbe, 2021). The Action Group (AG) in the West, the Northern People Congress (NPC) in the North, and the National Council of Nigeria and Cameroons (NCNC) in the East were the three political parties in control of these organisations. According to Obi (2021), most of the time, council members were liable to the political organisation in power in the area rather than the local populace, even in situations where they were elected, as in the Eastern as well as Western zones, and designated in the Northern region. Given that the elected local government councils in the Western region supported the AG led by Obafemi Awolowo during the 1962-1965 crisis, the ruling Nigeria National Democratic Party (NNDP), led by Samuel Ladoke Akintola, dissolved the councils in 1965 and replaced them with caretaker committees composed of NNDP supporters (Meredith, 2015).

In a similar vein, Nwosu (2017) argues that local governments in the Eastern region, where politicians were not affiliated with the regionally dominant party, were stripped of their official functions. The case in point is the regional NCNC government led by Dr. Okpara, which was pitted against Dr. Okezie's Republican Party in Umuahia Ibekwu municipality Area. According to Onor (2015), in the Northern region, local government councils were utilised to rig elections in favour of the party in power, the NPC, in an effort to undermine democracy in those bodies. It is noteworthy to mention that during the period under examination, the democratic management of local governments was undermined by the excessive politicisation of local political parties and the regionalization of local administrations. Consequently, the claim that local administration was in place during this time instead of an operational local government council in Nigeria was made.

Local Government Reforms under Democratic Dispensation 1967-1999

Significant alterations were observed in the frameworks, operations, revenue funding, and constitutional activities of local governments. The focus of this study will be on the impact of local government reforms on Nigerian democracy, specifically with regard to their structure and functions. Following the coup d'état led by Major Chukuma Nzeogwu on January 15, 1967, General Johnson Thomas Unonakwo Aguyi-Ironsi became the first military Head of State and brought military rule to Nigerian politics. According to Obi (2021), the military government replaced the local government councils that were in place with care-taker committees to oversee the councils' operations nationwide after dissolving the previous ones. According to Egurube (2016), the state's military governors, not the rural populace, were the ones who held political power in local governments. It follows that the democratic frameworks and duties of local government councils were lost, depriving the municipal administration of democracy. The lack of democratic activities was a result of the locals' lack of control over who rules them and how. The military governor is in charge, and the locals are compelled to follow his orders.

Nigeria's military government, led by General Obasanjo, initiated more substantial local government reforms in 1976. The federal military government noticed over time that other governments had severely deprived local governments of their democratic powers; this observation served as the basis for the reforms (FRN, 1976). In light of the aforementioned, the military-led federal government established the local government reforms panel on August 19, 1976, with Alhaji Ibrahim Dasuki serving as its chairman. Following the nationwide tour for appropriate consultation, the committee turned in its report, which was entitled "Guidelines for Local Government Reforms, 1976". The federal military-led government approved the guidelines. Reorganising local government for efficient service delivery and localised civic engagement was one of the reforms' many goals. Notably, the 1976 local government reforms had the following effects and provisions on Nigerian local government democratic administration:

- i. The establishment of the following generally recognised description of local government in Nigeria, as reported by FRN (1976:1): Local government is carried out by a representative council that is constituted by law to carry out particular functions within predetermined boundaries. The council should have significant authority over local matters under these powers, which should also grant it staff, institutional, and financial resources to plan and carry out projects that will supplement local, state, and federal government efforts. By delegating these responsibilities to the council and encouraging the people as well as their traditional institutions to actively participate, regional initiative and adaptation to conditions and needs will be maximised. According to this description, local government in Nigeria came to be acknowledged as the third tier of local government. It signals the end of Nigeria's provinces, districts, native authority, and administrative system and the start of local democratically elected governments.
- ii. The reform established, for the first time in Nigerian history, a unified neighbourhood government system with clearly defined roles and a structure to accomplish democratic governance across all states in the country.
- iii. As a result of the reform, 301 local governments were established in Nigeria for the first time to carry out democratic functions locally.
- iv. The provision allowing for non-party secret ballot elections of local government political actors offered hope for local people to participate in Nigerian politics through participatory democracy. The actors will answer to the locals, who will participate in deciding who rules them at any given time.
- v. The reforms increased local government autonomy and sustainability for democratic endeavours in Nigeria by allocating 5% of the federation to the local government.
- vi. As a result of the reform, national election standards for the running of both indirect and direct council polls were introduced. As a result, by January 1977, councils were established through secret ballot elections, a sign that the community was taking part in choosing its leaders.

As stated by Wapmuk (2015), structurally, the reform gave the council the authority to exercise political control over the local government through the supervisory councillors, who are members of the council. This is a step in the direction of Nigeria's local government's political development as well as democratic expansion. However, by designating local government as the third level of government on the one hand and the local government service commission (LGSC) as a subsidiary of the state to oversight local government employee services on the other, the reforms ran counter to democratic development and stability. The problem lies in the possibility that the LGSC could manipulate or thwart the efforts of local government workers, who are tasked with enforcing local government policies, in the event that the local and state governments disagree on a policy. This would prevent the local government from effectively implementing democratic guidelines in the community. Unexpectedly, the reform sparked a discussion about local government and socioeconomic growth in the 1977-1978 Constituent Assembly, and it proved further incorporated into the 1979 Constitution of the Federal Republic of Nigeria. Section 7 (1) of the 1979 Constitution, in accordance with Obike and

Nwaodu (2019), the authorities of each state shall ensure the existence of locally elected councils by law, which provides for the creation, and composition, structure, financing, and operation of such councils. This guarantees the system of publicly elected local government councils under this constitution. With a defined status and set of responsibilities as a third tier of government, local government appears in the Nigerian Constitution for the first time. The aforementioned effects of the reforms do, in fact, speak highly of the democracy's development within the Nigerian municipal government system.

Unfortunately, the Alhaji Shehu Shagari-led government of 1979–84 undermined the democratic endeavours in the councils despite the reforms and the local government's constitutional authority. The second republic misused the local government freedom clauses in the constitution. More local governments were established by state governments, but because the federal government did not recognise them, there was increased instability in Nigeria's local government system with regard to democracy and the constitution. Second, during their rule, the regime was unable to hold democratic elections in any Nigerian council. The local population was not given the chance to choose their leaders because councils were run by either caretaker committees or appointed sole administrators. Another round of local government reforms coincided with the military's return to politics in 1984, and these changes had the following impacts on Nigeria's local government democracy:

- i. More local governments were established, reaching 453 in 1989 and 500 in 1991. The federal government recognised the recently established local governments, which in turn encouraged increased democratic involvement of the local populace in state politics.
- ii. The local government's adoption of a presidential form of government promoted the administration of democracy and the separation of powers.
- iii. The executive council, which had a clear democratic mandate to manage the council's operations, was split off from the legislative council. Elections for local governments were held during this time, and the chairmen who were chosen to serve as they were responsible to the community as council accountants. As an attempt to increase local participation in democracy, the Abacha regime created more local governments in 1996, bringing the number of local government to 774.

Unfortunately, the parliamentary system took the place of the presidential system under the regime. The legislative structure was designed to lower local government administration costs, but it did not support the emerging local government democracy in terms of implementing the principle of separation of powers. A second reform was implemented by the local government in 1998–1999, under General Abdulsalami Abubaker's administration. In December 1998, the military government successfully held elections for all local government councils, reversing the previous system of local government from parliamentary to presidential. In addition, the government acknowledged and incorporated local government for an additional time in the 1999 Nigerian Constitution, as stated in section 7. The aforementioned factors influenced Nigerian local government democracy by boosting local participation in the system of presidency and by facilitating successful elections that allowed the populace to choose their council leaders. The 1999 constitution's local government provision gives the local government the authority to operate as a third level of government with particular constitutional schedules for the advancement of democracy. Conversely, the 1999 gave state governments' considerable authority over local governments under their purview.

Local Government Reforms and Democratic Governance in Nigeria, 1999-2012.

In Nigeria, this period of time was known as the Third-Six Republic and was governed by the 1999 Constitution's provisions. In light of this, the provisions of the 1999 Constitution and its implications for local government autonomy in Nigeria will be the main subjects of our analysis in this section. As the third level of government with specific authority and a mandate to develop rural areas and promote rural participation in state democratic activities, local government was acknowledged by the 1999 Constitution. Conversely, these republics saw a conflict over the use of democratic local government authority within the state. The state and federal governments fought each other over "who controls what and how" in the local government, resulting in a constitutional battle that affected the local governments. Thus, the following were identified by our study as key areas of disagreement and abuse within the local government system that lead to democratic decay in Nigerian local government governance. Without a doubt, the emergence of additional municipal governments signifies the opening up of new avenues for rural residents to engage with the government and participate in local democratic activities. Unfortunately, the state governments' efforts to establish local governments under the 1999 constitution led to the misuse of local government authority, a democratic institution. A number of state administrations implemented the stipulations of Section 8(3) of the constitutional amendment of 1999, which addresses the authority to establish local governments, and established as many as they wished. Their immediate goal, however, was not to increase local democratic participation but rather to increase revenue from the federation allocation via the newly established local governments. The federal and state governments clashed over who had the right to create local governments as a result of these contradictory intentions. The state governments included those of Lagos, Bayelsa, Ebonyi, and Enugu.

The Federal and the Lagos State Governments engaged in a legal dispute in the Supreme Court regarding the establishment of local governments, and the court rendered a decision in this regard. Iwilade (2012) asserts that the Supreme Court's decision remains valid as of this writing, notwithstanding divergent views on the subject: Lagosians are unable to recognise the new Local Government Areas they have lawfully created unless the National Assembly enacts a consequential Amendment Act listing the additional 37 Lagos Local Council Development Areas (LCDAs) as Local Government Areas under the 1999 constitution. The impact on democracy is that the newly established local government councils were reduced to being merely Development Centers/Councils devoid of democratic powers by Lagos as well as

other state governments that were involved in the establishment of local governments during that time. The local populace was denied access to participatory democracy and closer government.

Local Government Creation under Democracy

It has been difficult to establish new local government under Obasanjo's leadership. Using section 7(11) of the 1999 constitution as their allowing power, five states Ebonyi, Kastina, Lagos, Nasarawa, and Niger—created new local governments and then held elections for the councils. The federal government asserted it was not going to distribute funds via the federation account to LGAs that were not included in the constitution, forcing the concerned state governments to abolish the new LGAs. The Lagos state government was adamant, risking not releasing funds for LGAs for several months. This led to numerous disagreements between the federal government and the concerned states. Due to its status as the state with the highest internally generated non-oil revenue, Lagos was able to maintain its resistance. The state successfully contested federal government actions in court and the Supreme Court, and during Yaradua's administration, the withheld allocation was released. However, the National Assembly likely got more than it bargained for when it asked intrigued ethnic groups and individuals to submit memoranda for the creation of a new state. Various groups travelled to the National Assembly with documentation, data, and statistics supporting their claims to be the beneficiaries of the newly created state. However, a quick glance at a few of the states that are being fought for will highlight an essential flaw that has historically afflicted the political system: more than 85% of the federation's states are not economically or financially viable. For example, the people of the Enugu North Senatorial District in Enugu State have been calling for the establishment of Adada state, and similarly, the people of Abia are pushing for their own state. Numerous factions in the North have persisted in demanding the creation of new states.

Minority groups are pushing for the establishment of Okun and Oya states only in Kogi. The Idoma ethnic groups in Benue are also pushing for the separation of the current state of Benue into an Idoma state. Another state that has agitated for the formation of new states is Bauchi, which has twenty local governments. The South West zone is home to what are arguably the most complex agitations, with over three groups advocating for various states within a single state. The current Oyo state, whose revenue from within has been astronomically low considering its size and population, has been the target of fierce agitation for the creation of three new states: Ibadan, New Oyo, and Oke Ogun. The residents of Remo and Ijebu in Ogun State have also been leading the push for independent states. As the people of Ife are pushing for the creation of Oduduwa state, agitators for a new state have appeared as well from the current Osun state, which was split off from Oyo state in 1999. In their report, the Adhoc Committee of the House of Representatives on the Evaluation of the 1999 Constitution recommended against the formation of novel states (Ali, 2019).

Ameh (2017) goes on to describe the circumstances as follows: The committee was presented with over thirty-five requests to create new states. Section 8 of the constitution's process for the establishment of new States was not followed by any of the requests that were submitted to the committee. The committee was therefore unable to address any of the aforementioned demands. The committee acknowledges, however, that the current constitutional provision pertaining to the establishment of new States is ambiguous and onerous. As a result, the committee rejects all of the suggestions for new states, putting a temporary stop to the agitation for local government and states. Therefore, it is unclear if some of these groups calling for the formation of new states have yet to take the financial essential into account as a means of ensuring their states' survival and ability to provide goods and services to their citizens.

Research Methods

The study is primarily a qualitative method and as such the historical research design was adopted. Data were sourced through the internet, books, journals, government bulletins and publications; the secondary data was analyzed qualitatively by addressing the objective of the study. The content analytical technique was adopted. This technique allows the researcher to extract the content of documents in order to address the research objective. Based on the analysis, the following findings were observed:

- i. Local governments in Nigeria are underperformed. This is due to inadequate funds and corruption of local government staff and revenue collectors
- ii. The agitation for extra local government creation in this democratic dispensation by states governments across the federation is not feasible due to the economic condition of the country rather efforts must be geared toward opening more revenue windows for efficient service delivery at the grassroots
- iii. Local governments created under democratic dispensation are encroached by the state governments. The creation of state and local government joint accounts is an aberration and as such local governments under democratic dispensation are an appendage to the state governments
- iv. Lack of transparency, accountability and Mismanagement, misappropriation and diversion of local government funds for just a few cartel in local governments are the problems of local government created under democratic dispensation in Nigeria.

Conclusion

In the current state of the country, were dwindling revenue allocation, there is no need to agitate for the creation of additional local government area rather the existing ones should be given the needed freedom and financial autonomy to pursue their development. Freedom is a fundamental issue in human existence and all societies, organisation and government. Local government as a third tier of government recognized by law must be given the financial freedom and independence to conduct and operate on its own within the limit of the law and external control. The National Assembly as a matter of public importance and for development purposes urgently needs to review the provision of the constitu-

tion establishing the state-local government joints account which has no direct bearing to the lives of the people so that the interference and manipulative tendencies of the state governors would be avoided to allow the local government performance effectively and efficiently. The study therefore concludes that the challenges of local government being an enviable institution for democratic participation, an effective and efficient system for socio-economic development of the grass root and accountable among others are attitudinal and institutional. These challenges are not insurmountable given the sincerity of purpose on the part of the Federal and State government to genuinely allow the spirit of the 1999 Constitution to work by curbing overbearing attitude of the State government, minimize corruption and make the system accountable. The following recommendations were made:

- i. Federal government should not grant the agitation for the creation of more local government rather strengthen the existing ones with adequate allocation to embark on development in their jurisdictions
- ii. Local government creation under democratic dispensation is targeted at creating more enabling ground for grassroots mobilization and participation, but the current situation in Nigeria does not permit extra local governments areas rather review the allocation upward to enable them perform adequately
- iii. Successful decentralization entails Federal and State governments allowing the local government clear mandate as contained in the 1976 Local Government Reform and the spirit of 1999 constitution to be implemented to the letter without unnecessary intervention.
- iv. The immunity granted to governors in the Constitution has significantly been abused and the study recommends a constitutional amendment to withdraw it. Governors should be made accountable while still in office and this may checkmate their excesses.
- v. The current arrangement while governors are prosecuted after leaving the office amounts to medicine after death as the damage had already been done and the judicial system is equally challenged.

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