

# Evaluation of Local Government Administration and Governance in Nigeria

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## Abstract

Local government (LG) is the tier of government that is closest to the people. The quest for LG administration and governance still generates exciting and healthy debate in Nigeria. This study examines the opportunities and problems, which confront the Nigerian LG system in its efforts to establish itself as a true tier of government. The main objectives of the study are to find out why, in practice, complete LG autonomy and governance is difficult in Nigeria; to investigate the level of autonomy in Nigeria's LG system; and to suggest measures that could be adopted to reduce interference in the LG affairs in Nigeria. The theoretical framework adopted in this study is the Marxist theory. The proponents of this theory see LG as an instrument of the central government, which works as a direct means of securing proletarian compliance through suppression. A survey of 300 employees in the Nkanu West LG Area was conducted. A five-point Likert scale was used in data collection. The findings revealed that there were constitutional loopholes or contradiction that tend to provide the impetus for the unethical state government officials to nurse the inordinate desire for hedging in LG left, right, and center. This study recommends that the autonomy of LG should be based on a better income base, respect for constitutional provisions, political stability, accountability, and transparency.

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## Keywords

autonomy, Nkanu-West LG Area, constitutional autonomy, Nigeria

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## Introduction

Any discussions involving the functions of local government (LG) as defined by the constitution must be done through the analysis of intergovernmental relations and their implications on new authority. The question of relative autonomy for LG in Nigeria is a relatively recent phenomenon, at least from the point of view of “official legitimation”. Official legitimation is considered a basic condition for governing, without which a government will suffer legislative deadlock(s) and collapse. Jurisdictional hindrance of their official operations and/or responsibilities to both the citizens and central, regional, or state governments were, hitherto, comparatively uncontentious. This position is in line with the mandate under which local authorities were created. Local authorities are creation of the regional, and later, state governments.

Hence, they carried out functions as assigned by the regional/state governments. Also, their autonomy varied in degree and pattern across states. They were deemed to be tied to the state since they were creations of the state governments. At this stage, Nigerian Federalism was practically a two-tier federal structure. Yielding to internal and external pressures for the reformation of the federal structure along with modern patterns, the federal government embarked on nationwide reforms that led to the creation of third-tier status. The lawful predisposition of autonomy and powers of LG was a prominent feature of this reform.

Being recognized as the third tier of the government in 1976, LG became the front banner of local peculiarities riddled with challenges. However, subsequent reforms in 1988 and 1991 strengthened autonomy of LG. These reforms introduced the presidential system of government as it was at the federal and state levels. The development was regarded as a test of the nation's grassroots democracy. Today, there are calls for the creation of additional LG entities. Therefore, the focus of this research was to examine LG autonomy and governance in Nigeria, with particular reference to the governance and development in Nkanu West LG Area in Enugu State.

## Objectives

The objectives of this study are:

- To find out why the practice of LG autonomy and governance is difficult in Nigeria.
- To investigate the level of autonomy in Nigeria's LG system with specific reference to the Nkanu West LG area.
- To suggest measures that can be adopted to check autonomy in the local affairs in Nigeria.

## **Theoretical Framework**

There exists a range of prominent theorists who have produced extensive interaction in LG in pluralistic societies like the Nigerian state. Considering the objectives of this study, the Marxist theory has been adopted as the theoretical framework. The Marxist analysis describes LG as an instrument of the federal and state government, which works either as a direct means of securing legitimacy for the ruling class or securing praetorian compliance through suppression. The theory argues that LG 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. As Engels (1942) succinctly put it, 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 with itself, that it has split into irreconcilable antagonism which it is powerless to dispel. Cockburn (1977), using Marxist theory attempts to demonstrate in his book that even an initially left-inclined local authority is obliged by the nature of capital to suppress agitation for more egalitarian policies. Although these books were published many years ago, they still remain an interesting reference point.

The analysis of the autonomy of LG in Nigeria in terms of the interest of capital and advancing this argument, draw greatly on the studies of Marxist orientation. The LG autonomy and governance in this classist society is, therefore, more apparent than reality since the LG remains the instrument of the dominant classes for exploitation and suppressing the subordinate classes (Omoyibo, 2012). It is within the context of the specific character or nature of the neo-colonial state of Nigeria that one can understand and explain the unfortunate circumstances whereby the state uses LG as one of its agents of suppression. It is based on this context that the realization of the objectives for the guidelines for LG reforms in Nigeria has been constrained by several factors, such as personnel problems, the problem of corruption, the loss of autonomy, financial problems, etc. (Chukwuemeka et al, 2014).

### **Local Government (LG)**

Local Government Authority (LGA) in Nigeria is a product of decentralization and was established by the 1976 reforms as enshrined in the 1979 constitution (Okafor, 2010). The term LG is defined by Mtasigazya (2019) as the public authorities, including appointed and elected officials, operating at the local level to promote local democracy and development. LG is closer to the people and is better positioned to appreciate the real problems of the population. They serve as the most effective agents for mobilizing the people for the positive socio-economic and political development of the country (Adeyemo, 2005). Warrioba (1991) defined LG as that part of the government charged with managing local affairs and is democratically-elected to function within their defined jurisdiction. Different authors have identified features of LG with autonomy.

For instance, there are three essential features of LGA, (i) separate autonomy and legal status distinct from that of central government (ii) power to raise their revenue and spend on the discharge of function as assigned to them by law, and (iii) power to make decisions as responsible organs in their rights and not as an extension of central government (Mnyasenga & Mushi, 2015). LG are usually actively involved in the provision of infrastructures such as primary health care services, educational services, maintenance of roads, streets, parks, and markets, provision of agricultural services, provision of security services, and provision of electricity, in responsive to local wishes (Adeyemo, 2005; Ezeani, 2012; Saalah & Stanley, 2011; Tony, 2011). The LG, as the third tier of government in Nigeria and as enshrined in the constitution, is ostensibly meant to serve as the institutional framework for effective service delivery to the grassroots and overall national development (Ugwuanyi, 2014). As a general argument, a government closer to the citizens is expected to better accomplish the requirements of the community. Constitutionally, LG have been assigned some functions under the law (Eyitayo & Alani, 2019). One of the major functions of LG is to bring about meaningful development in the rural areas (Federal Republic of Nigeria, 1999). As a distinct tier of government, LG is envisaged to have political/administrative and financial autonomy to enable it to operate effectively as would be manifested in the substantial performance of the developmental functions that necessitated its creation (Ugwuanyi, 2014).

## **Autonomy**

Autonomy, according to Longman Dictionary of Contemporary English, is “*The right of self-government or management of one’s affairs*”. A definition given by Wolman *et al.* (2010:70) states that local autonomy is a system of local governance whereby LGA have an important role to play in the economy and the intergovernmental system. LG have discretionary powers with the means ‘the freedom’ to act within their defined jurisdiction. Abada (2007), argued that LG autonomy and governance in Nigeria as federating units should not exist as an appendage of either the state or federal government. This means that LGA possess the power to decide within their competence and jurisdiction without being dictated to or influenced by external authorities like the state or the federal government. But the draft constitution of 1999 contradicted the autonomy of the LGA as a meaningful tier of government. The term “*tier*” used in this context means a set of LGA with their own identity, powers, and sources of revenue established under state legislation and with functions for which they are responsible to the state. Article 7, subsection (1) of the draft constitution of 1999 states: “*Subject to the provision of this constitution, the executive powers of a LG shall be invested in the chairman of the LG council and may be subject, as aforesaid, to the provisions of any law made by the House of Assembly of the state within whose boundaries in which the LGA is situated and a by-law made by the LG*

*council, be exercised by either directly or through the vice-chairman of supervisory councilors of the LG or officials in the service of the LG". Onyishi & Obi (2004) is of the view that this provision of the constitution would lead to intractable inter-government problems in which the LGA is the "whipping child"<sup>1</sup>. Constitutional loopholes or contradictions tend to provide the impetus for the unscrupulous state officials to nurse the inordinate desire for hedging in the LGA.*

State government encroachment into LGA affairs has triggered a movement to lobby for LGA autonomy and governance. The recurring abuse of the provisions concerning LG in the 1979, 1989, and 1999 Constitutions, especially by the state government, refreshed the call for LG autonomy and governance. The LG reforms have been articulated in a bid to correct excessive state encroachment, abuse of power, and the use of undemocratic leaders and caretaker committees to run the LG by the state governments in Nigeria (Osakede *et al*, 2016). Ige (1996), cited in Akpan and Ekanem (2013:199), stated that Nigeria is the only federation in the world where the federal and state governments decide how, where and when a LG council must run. However, the available literature, points to the fact that the autonomy of LG is becoming increasingly difficult to realize, particularly taking into account the propensity of the state governments to interfere in their political/administrative and financial issues.

### **Interference in LG financial autonomy**

The financial autonomy of the LG is being severely interfered with by the state governments. Principally this is perpetuated through the agency of the State Joint LG Account. Andrew (2012) and Ogban (2011) noted that state governments use the State Joint LG Account (SJLGA) mechanism to make LG appendages of the state. Oguntuase (2012) observed that state governments have turned the State Joint LG Account into an instrument to manipulate and control the LG. The interference in the LG's financial autonomy by the state governments is made easily possible as a result of the subordination of the LG to the states through the provision in Article 162, Paragraph 6 of the Constitution on the establishment and operation of State Joint LG Account.

Indeed, the provision of the State Joint LG Account does not allow for direct funding of LG from the Federation account which would have formed a realistic basis for the realization of the LG's financial autonomy. In fact, as Anikeze (2012) postulated, the operation of State Joint LG Account ties down the councils to the apron strings of the state governments. Very worrisome is that the interference in the LG statutory allocations by the state governments reasonably account for the inability of the LG to initiate and execute development programs or projects (Azelama, 2008; Ezeani, 2012). Andrew (2012), in this respect, posited that, in the context of

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1. whipping child is a colloquial phrase that refers to a person to whom blame is deliberately and falsely attributed in order to deflect blame from another party.

diversion and siphoning of council funds by the state governments, the LG leaderships that even desire to initiate and implement development projects programs are hampered by inadequacy of funds. Some scholars have argued that the major cause of the financial crisis in the LG system is pervasive corruption, particularly at the leadership level, that results in huge financial misappropriation, and it is recommended that the LG get what is allocated to them so that one can judge and appreciate their managerial performance.

### **Interference in the LG political and administrative autonomy**

The LG's political autonomy is equally being undermined in several ways by the state, for instance, by the use of the caretaker committee system for administering LG areas. In this case, some state governors refuse to conduct elections for the creation of the LG council and, instead, appoint caretaker committees to run them (Ugwuanyi, 2016). Indeed, the practice of adopting the caretaker committee is tending to become the norm instead of an aberration to democratic practice. In some cases, the state governors even terminate the tenure of elected councils or suspend them before the expiration of their mandate for reasons that, most often, border on petty politics (Ugwuanyi, 2016). In such cases, caretaker committees are appointed to replace them. This practice is, in fact, undemocratic and unproductive as it is used, in most cases, by state governors to selfishly direct and control the operations of the LG. A resultant effect of the caretaker committee arrangement has been the existence of tensions that significantly constitute a serious threat to the operation of the LG and, indeed, their ability to implement their constitutionally-assigned developmental roles or functions (Ezeani, 2012). Since the caretaker committees can be dismissed in case of disloyal conduct, its stewardship is conducted by the state government that appointed them, rendering the activities of the LG to be less development-oriented (Okolie & Eze, 2006).

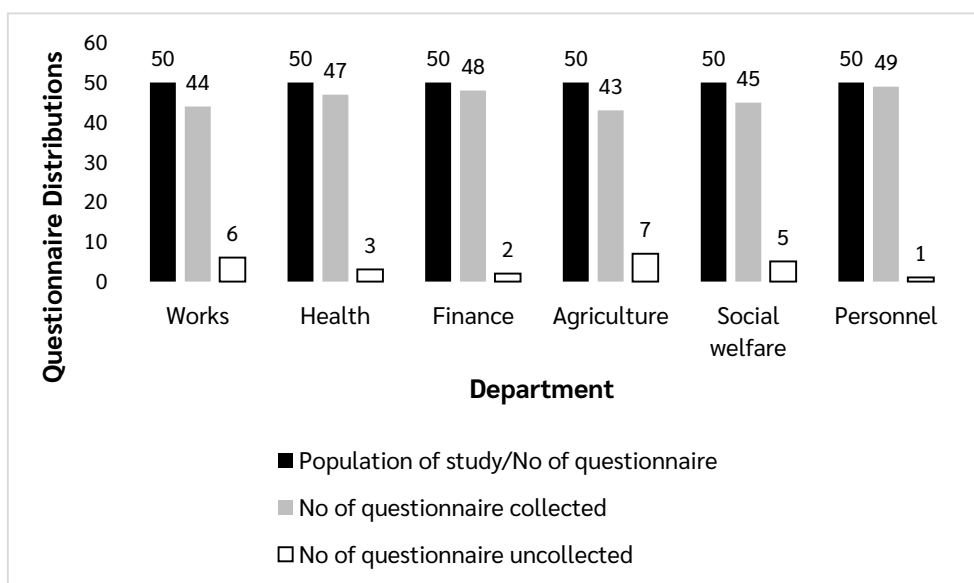
The main factor responsible for the lack of administrative autonomy is personnel problems. The LGA in Nigeria face several personnel problems, which militate against the effective performance of their function. Charlton (1985) opined that "*Politicization is a process by which politicians control bureaucracy through manipulating recruitment, education, training, and promotions to imbue bureaucracies with overt explicit commitments to the political goals of the government of the day.*" Orewa & Adewenmi (1983) observed that recruitment practices in LG are based on patronage. This has created problems of redundancy in LG where stern measures (e.g., termination of appointments, suspension of staff) are rarely contemplated. In conclusion, the guidelines on new reforms indicate that federal and state governments significantly reduced the autonomy of the LGA.

## Research Methodology

This study was carried out in the Nkanu West LG. It is one of the three LGA carved out from the Nkanu LG. Nkanu West comprises 13 administrative sub-units/council areas as follows: Agbani, Akpugo, Amuri, Ugboauka, Nara, Obe, Ozalla, Mburumbu, Ubahu, Amodu, Akegbe-Ugwu, Umueze, and Nkerefi. Nkanu West LG headquarters is located at Agbani.

The LG has six departments namely: Department of Works, health, finance, agriculture, social welfare, and personnel. These departments have a total workforce of 600. Half (i.e., 300) study participants were included in the study by random sampling, stratified by department. A quota sample of 50 personnel were chosen from each of the six departments, and participants were asked to fill out a semi-structured questionnaire. Out of the 300 questionnaires distributed, 276 were properly completed and returned (Figure 1). Data collected on the questionnaires were entered into Excel, cleaned, and analyzed using SPSS version 25.

Other sources of data in this study include library resources, textbooks, and internet extracts.



**Figure 1.** Questionnaire Distribution by Department

### Method of Data Analysis

A five-point Likert Scale was used for analysis. The “Agree-Disagree” response pattern was employed. Weights were assigned to responses as indicated in the tables, and mean scores were calculated. The decision rule was to accept the item that has a mean score of 3.5 or above. The technique of data analysis adopted for this study was Chi-Square. We formulated the following hypotheses:

$H_0$  = There was no autonomy of LG in Nigeria

$H_1$  = There was autonomy of LG in Nigeria

## Results

The data generated from the questionnaires in respect to LG autonomy and governance in Nigeria revealed the following results.

One hundred and fifty-four (154), or 56% of respondents were male, while the remaining were female.

In terms of marital status, one hundred and twenty-two respondents (122) (44%) are married, one hundred and forty-nine (149) (54%) were single, and five (5) (2%) respondents are divorced.

Seventy (70), which is 25% respondents, fell within the age limit of 21-30 years, ninety-six (96) (35%) were within the age range of 31- 40, seventy-five (75) (27%) fell within the age of 41-50, while thirty-five (35) (13%) are those respondents whose ages fell within the age range 60 years or above.

In terms of the educational qualification, thirty respondents (30) (11%) had a primary school certificate, forty-five (45) (16%) respondents were those with Senior Secondary Certificate of Education/General Certificate of Education (SSCE/GCE), fifty-four (54) (20%) were holders of the Ordinary National Diploma (OND)/Equivalent, while the National Certificate in Education (NCE)/Equivalent was held by fifty-nine (59) (21%). Those having Bachelor's degrees were fifty (50) (18%) while thirty-eight (38) (14%) were those respondents with a Master's Degree or higher.

In terms of length of service, seventy (70) (25%) respondents had a length of service from 1-10 years, eighty-eight (88) (32%) had a length of service from 11 - 20 years, sixty-six (66) (24%) had a length of service 21-30 years, while fifty-two (52) (19%) had a length of service from 31-40 years.

In terms of salary grade level, seventy respondents (70) (25%) were in a salary grade level from 1-07, seventy-four (74) (27%) were at levels 8-10, eighty-two (82) (30%) were at level 12-14, while those in grade level 15 or above were fifty (50), representing 18%.

A five-point Likert scale was used to group response, and mean scores and percentages were calculated based on response. The decision rule was to accept the item that has a mean score of 3.5 or above. The formula used for calculating mean scores is found below:

$$\text{Mean } (\bar{X}) = \frac{\sum FX}{\sum X}$$

where F is the five-point Likert scale score ranging from 1 (strongly disagree) to 5 (strongly agree); X is the number of respondents.



Table 1 presents response to the question: *Do you agree that the poor management of Nkanu West LG could not guarantee its autonomy?*

**Table 1.** Poor Management and Autonomy

Options	F	X	%	FX
Strongly agree	5	94	34.0	470
Agree	4	88	31.9	352
Undecided	3	9	3.3	27
Disagree	2	55	19.9	110
Strongly disagree	1	30	10.9	30
Total	15	276	100.0	989

Mean ( $\bar{X}$ ) = 3.6

From the analysis, 94 respondents strongly agreed and 88 agreed that the poor management of Nkanu west LG could not guarantee its autonomy. Nine respondents were undecided, 55 disagreed, and 30 strongly disagreed with this view. The percentage of the respondents who supported this view was 65.9% as opposed to 34.1% of those who disagreed or were undecided on this point. The mean score is 3.6. This finding implies that the poor management of the Nkanu West LG could not guarantee its autonomy.

Table 2 presents response to the question; *Are inadequate financial resources and a reasonable degree of discretion constraints to LG autonomy and governance?*

**Table 2.** Inadequacy of finances versus LG discretion

Option	F	X	%	FX
Strongly agree	5	102	36.9	510
Agree	4	92	33.3	368
Undecided	3	5	1.9	15
Disagree	2	57	20.7	114
Strongly disagree	1	20	7.2	20
Total	15	276	100.0	1,027

Mean ( $\bar{X}$ ) = 3.7

One hundred and two, (102) respondents strongly agreed and ninety-two agreed that inadequate financial resources and a reasonable degree of discretion are a constraint to LG autonomy and governance. Five respondents were undecided, 57 disagreed and 20 strongly disagreed with this view. The percentage of the respondents who supported this view was 70.2% as opposed to 29.8% of those who disagreed or were undecided on these points. The mean score is 3.7. The findings imply that inadequate financial resources and a reasonable degree of discretion are constraints to LG autonomy and governance.

Table 3 presents response to the question: *Do you agree that there was no autonomy of LG in Nigeria?*

(The question is addressed to all LG in Nigeria based on a simplifying assumption that all LG in Nigeria are similar if not homogenous.)

**Table 3.** Existence of Autonomy

Option	F	X	%	FX
Strongly agree	5	95	34.4	475
Agree	4	95	34.4	380
Undecided	3	7	2.5	21
Disagree	2	29	10.6	58
Strongly disagree	1	50	18.1	50
Total	15	276	100.0	984

Mean ( $\bar{X}$ ) = 3.6

Ninety-five respondents strongly agreed and 95 agreed that there was no autonomy of LG in Nigeria. Seven respondents were undecided while 29 disagreed and 50 strongly disagreed with this view. The percentage of the respondents who supported this view was 68.8% as opposed to 31.2% of those who disagreed or were undecided on this point. The mean score is 3.6. These findings imply that there was no autonomy of LG in Nigeria.

Table 4 presents response to the question: *Does the politicization of LG bureaucracy in Nigeria account for its lack of autonomy?*

**Table 4.** Politicization of LG Bureaucracy

Option	F	X	%	FX
Strongly agree	5	90	32.6	450
Agree	4	95	34.4	380
Undecided	3	12	4.3	36
Disagree	2	29	10.6	58
Strongly disagree	1	50	18.1	50
Total	15	276	100.0	974

Mean ( $\bar{X}$ ) = 3.5

From the analysis, 90 respondents strongly agreed and 95 agreed that politicization of LG bureaucracy in Nigeria accounts for its lack of autonomy, while 12 respondents were undecided, 29 disagreed, and 50 respondents strongly disagreed with this view. The percentage of the respondents who supported this view was 67.0% as opposed to 33.0% of those who disagreed or were undecided on this point. The mean score is 3.5. These finding imply that the politicization of LG bureaucracy in Nigeria accounts for its lack of autonomy.

Table 5 presents response to the question: *Does corruption at the grass-root level account for the lack of LG autonomy and governance in Nigeria?*

**Table 5.** Corruption versus LG Autonomy and Governance

Option	F	X	%	FX
Strongly agree	5	89	32.2	445
Agree	4	93	33.7	372
Undecided	3	8	2.9	24
Disagree	2	43	15.6	86
Strongly disagree	1	43	15.6	43
Total	15	276	100.0	970

Mean ( $\bar{X}$ ) = 3.5

Table 5 indicates that 89 respondents strongly agreed and 93 agreed that corruption at the grass-root level accounts for a lack of LG autonomy and governance, while 8 respondents were undecided, 43 disagreed, and 43 strongly disagreed with this view. The percentage of the respondents who supported this view was 65.9% as opposed to 34.1% of those who disagreed or were undecided on this point. The mean score is 3.5. These findings imply that corruption at the grass-root level accounts for the lack of LG autonomy and governance in Nigeria.

Table 6 presents response to the question; *In your own opinion does state interference in local affairs contribute to a lack of LG autonomy and governance?*

**Table 6.** State Interference versus LG Autonomy and Governance

Option	F	X	%	FX
Strongly agree	5	104	37.6	520
Agree	4	76	27.5	304
Undecided	3	7	2.5	21
Disagree	2	37	13.5	74
Strongly disagree	1	52	18.9	52
Total	15	276	100.0	971

Mean ( $\bar{X}$ ) = 3.5

Table 6 indicates that 104 respondents strongly agreed and 76 agreed that state interference in local affairs contributes to a lack of LG autonomy and governance, while 7 respondents were undecided, 37 disagreed, and 52 strongly disagreed with this view. The percentage of the respondents who supported this view was 65.1% as opposed to 34.9% of those who disagreed or were undecided on this point. The mean score is 3.5. These findings imply that state interference in local affairs contributes to a lack of LG autonomy and governance.

Table 7 presents response to the question; From your own opinion do you agree that the constitutional provisions portend intractable inter-governmental problems in which the LG is the “whipping child” contribute to its being less autonomous?

**Table 7.** Constitutional Provision versus Intergovernmental Problems

Option	F	X	%	FX
Strongly agree	5	102	36.9	510
Agree	4	90	32.7	360
Undecided	3	5	1.9	15
Disagree	2	59	21.3	118
Strongly disagree	1	20	7.2	20
Total	15	276	100.0	1,023

Mean ( $\bar{X}$ ) = 3.7

From the analysis, 102 respondents strongly agreed and 90 agreed that the constitutional provision portends intractable inter-government problems which makes the LG the “whipping child” and becomes less autonomous, 5 respondents were undecided, 59 disagreed, and 20 strongly disagreed with this view. The percentage of the respondents who supported this view was 69.6% as opposed to 30.4% of those who disagreed or were undecided on this point. The mean score is 3.7. These findings imply that the constitutional provisions portend intractable inter-governmental problems in which the LG is the “whipping child” contribute to its being less autonomous.

### A sample Testing of the Hypothesis

Question 3: “Do you agree that there was no autonomy of LG in Nigeria?”

H0 = there was no autonomy of LG in Nigeria

H1 = there was the autonomy of LG in Nigeria

The formula for the Chi-Square is as follows (Moore et al, 2013)

$$X^2 = \sum \frac{(of - ef)^2}{ef}$$

Where:

$X^2$  = chi – square

of = observed frequency

ef = expected

$\Sigma$  = summation

**Table 8.** A Chi-square Contingency Table Showing That There Was No Autonomy of LG in Nigeria

Variable	Responses	of	ef	of – ef	(of – ef) <sup>2</sup>	$\frac{(of - ef)^2}{ef}$
Strongly agree	95	95	55.2	39.8	1584.04	28.70
Agree	95	95	55.2	39.8	1584.04	28.70
Undecided	7	7	55.2	-48.2	2323.24	42.09
Disagree	29	29	55.2	-26.2	686.44	12.44
Strongly disagree	50	50	55.2	-5.2	27.04	0.49
Total	276	276	276			112.42

$$X_c^2 = \sum \frac{(of - ef)^2}{ef}$$

$$X_c^2 = 112.42$$

To calculate degree of freedom (df)

df = n – 1 (Moore et al, 2013; Illowsky & Dean, 2021)

df = 5 – 1

df = 4

At df 4 at 0.005 level of significance

**X<sup>2</sup> 4 at 0.005**

$$X_t^2 = 14.86$$

Chi-Square calculated  $X_c^2 = 112.42$ , and Chi-Square tabulated  $X_t^2 = 14.86$

When  $X_c^2 > X_t^2$ , Accept  $H_0$ , Reject  $H_1$  (Moore et al, 2013)

$X_c^2 < X_t^2$ , Accept  $H_1$ , Reject  $H_0$  (Moore et al, 2013)

From the above calculation  $X_c^2 = 112.42$  while  $X_t^2 = 14.86$

Therefore, we accept  $H_0$  and reject  $H_1$ .

Decision: Since  $X_c^2 > X_t^2$ : It implies that there was no autonomy of LG in Nigeria.

### Interpretation of the Results

Since the Chi-square value calculated is greater than the Chi-Square tabulated value, we accept the Null hypotheses, which says, that there was no autonomy of LG in Nigeria. Lack of autonomy on LG is responsible for poor performance and productivity. This indicates that LG in Nigeria would perform better with full autonomy.

### Discussion

The 1999 Constitution of the Federal Republic of Nigeria (Article 7) empowers the states to exert sufficient control over the LG under their jurisdiction. This arrangement neither promotes the autonomy of LG nor protects staff from the whims of state government. State governments have, therefore, by virtue of that power, exerted tremendous control over staff in the LG that range from recruitment, through promotion, to postings (Nwankwo, 2011). There is

no doubt that one of the objectives of the 1976 LG reform was to devolve governmental powers to the grassroots by making LG 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 gives state governments certain fundamental regulatory, supervisory, and statutory fiscal powers over the LG, which encumbers the exercise of genuine autonomy by the latter.

Furthermore, although all the communities in Nigeria are constituent parts of one LG 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 LG authority, notwithstanding the subordination of the functions of the traditional rulers to LG authorities as contained in section (1) of the Fourth Schedule. This concurrent power over traditional rulers leaves the LG without control over the socio-cultural matters of their constituent communities. This is because the traditional officers tend to owe allegiance to the state government which has more effective powers to determine the fate of their tenure. In addition to the above, the Draft Constitution of 1999 provides that 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 (Article 8, subsections). Thus, nowhere is any mention made of the input of the LG chairman, even though traditional rulers are deemed to perform their cultural and statutory functions under the supervision of the relevant LG Authority.

There are disparities of the three Constitutions (1979, 1989, and 1999), in which a full tier LG is borne by our experiences since the LG reforms of 1976 is a major concern. Some of the areas where the LG’s autonomies have been encroached upon by the state governments include the following:

### **Personnel Autonomy**

An institution claims to be autonomous where it can hire and fire its personnel. In the case of the LG, it is the state government that sets up the LG service commission and appoints its members.

Article 29 to 33 of the Constitution provided for the existence and functions of a LG service commission. The main functions of the commission include the following:

To set up general and uniform guidelines for appointments, promotions, and discipline;

To monitor the activities of each LG to ensure that the guidelines are strictly and uniformly adhered to; and

To serve as a review body for all petitions from LG in respect of appointments, promotions, and discipline.

In addition to the personnel functions of the LG service commission, there were also the provisions of Article 34 and 34A, as amended by Decree No 25 of 1990, on the removal of the chairman or vice-chairman of a LG council.

It is obvious that LG, especially in developing countries such as Nigeria, face several personnel problems, which militate against the effective performance of their functions. One such problem is the politicization of recruitment, selection, and placement. This problem has been noted by Orewa & Adewumi (1983) that, at the inception of the democratic LG system in the former Eastern region of Nigeria in 1950, early recruits into the LG service were mainly “*sons-of-the-soil*”, party stalwarts, or relations of counselors. As Orewa & Adewumi (1983) rightly stated, recruitment practices based on patronage have created problems and redundancy in LG where stern measures like termination of appointment and suspension of staff are rarely contemplated.

### **Financial Autonomy**

Another finding from the study is that finance is a major problem confronting LG, especially in developing countries like Nigeria. There is a doubt that the ability of the LG to perform their constitutionally-assigned functions depends on the funds available to them. Okoli (1998) is of the view that Section 1, Sub-section (8, 9, and 10) of the Decree, subordinated the financial fortunes of the LG to the full glare and, sometimes scrutiny of the state government. Even though the statutory allocations due to the LG 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 LG councils within the state, was limiting factor. Section 1 (a) of the Decree, as well as section 34A, as amended provided for an Auditor-General for the LG of a state, who should be appointed by the Governor of the state, to audit annually the accounts of the LG, and the report thereof should be laid before the House of Assembly of the state. Section 1 (a) stated the following: “*subject to the provisions of part I to IV of this Decree, the House of Assembly of state, shall enact a law providing for the structure, composition, revenue, expenditure and other financial matters, staff meeting and other relevant matters for the LG in the state.*” From the stipulations of this constitution oral provision, LG councils cannot claim to be autonomous, especially in the area of finance.

It would, however, appear that devolution has not worked smoothly and successfully in Nigeria's LG. 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, LG 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 LG autonomy and governance

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 LG can be achieved.

## **Conclusions and Recommendations**

In conclusion, it is clear that statutory and constitutional provisions, no matter how foolproof they may be, cannot guarantee true autonomy for the LG 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 LG tier as a 'child' that needs at times to be treated with a sense of paternalism and, to some extent (and this is often), as an instrument for political and material aggrandizement.

Furthermore, based on the findings, LG lack autonomy because of inadequate finance. The increases in local revenues as a result of the allocation from the federal account and the value-added tax (VAT) look significant. However, if we consider the demand on the financial resources of the LG, they still do not have adequate revenue. Their financial stability has been weakened by frequent increases in number through fragmentation.

In the light of the challenges examined above, the following recommendations are proposed:

To enhance the efficiency and effectiveness of the LG system, there is an urgent need to review the constitution and delineate areas of inter-governmental friction, especially in electoral matters, creation of LG, tenure of councils, and finance. The council elections should be conducted as, and when due, to avoid a democratic vacuum that is dangerous to the LG 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 LG as a third-tier government, the state governors should not encroach on the lucrative responsibilities of LG or misappropriate LG funds in any form. Similarly, LG should creatively establish avenues for revenue generation to avoid depending heavily on the statutory allocations. In addition, the state joint LG account should be scrapped. This will reduce the problems of illegal deductions, extra-budgetary impositions, under-allocation, etc. It will then be easy to lay the blame for non-performance and financial mismanagements squarely at somebody's feet. If the above recommendations are taken into consideration, then Nkanu West LG will benefit and perform its functions more efficiently

## **Limitations and further research**

Based on the findings of the study, the use of only the employees of the Nkanu-West LG area for the study may limit the generalization of the findings. This is because other LG could



have provided more valid information on the opportunities and problems which confront the Nigerian LG system.

Based on the limitations of the present study, we suggest that further research in this area should be undertaken with non-LG employees and a larger number of LG and, hence, a larger sample size to enable greater confidence in the generalization of results.

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