

Local Government Administrative Systems And The Relevance Of Traditional Rulership In Nigeria: A Study Of The Structure, Election And Administration Of The Sultan Of Sokoto, Oni Of Ife, Obi Of Onisha, Tor Tiv And Shehu Of Borno, Lamido Of Adamawa

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Abstract: Local government administration in Nigeria is as old as history and its dated back pre-colonial era. It had been part of system of government among ethnic groups in Nigeria particularly the Yoruba in the West, Hausa/Fulani in the North and the Igbo in the East. Each ethnic group operating it as it suits their cultural value. Under colonial administration, it was known as indirect rule system. It was an attempt to govern the people through their chief. At independence and thereafter, the system has since been restructured and reorganized depending on the regime and the nature of government in power. These changes have made it to pass through series of uncertainties and with peculiar characteristics. The specific objectives of this study are to examines both the inherent weakness of the constitutional foundation and the contradictions created by the 1976 reforms, also examines the historical development of local government in Nigerian state. The research methodology is carried out through the use of secondary data. Using a theoretical analysis, the paper finds that the combined effects of constitutional gaps and reform contradictions have rendered Nigeria's system of local government an unfortunate 'orphan', and that, lacking a strong constitutional foundation, local government in Nigeria has been subject to the whims of both state and federal governments. The paper argues that, despite numerous constitutional developments, current constitutional provisions for local government in Nigeria leave much to be desired. However, the paper find's out that, the current state of Local Government in Nigeria is characterised by unbridled interference of the State Government and therefore recommends that, there is need to review the Constitution to make Local Government autonomous especially on the issues of fiscal power, functions and responsibilities. The recommendations to improve the system include that: local government should be given the status of a federating unit in the constitution, with its powers and functions clearly spelt out; the constitutionally mandated State Joint Local Government Account (SJLGA) should be abolished; and the constitution should be amended to create a chapter which guarantees the identity and autonomy of local government as a third tier of government.

Keywords: local government, Administrative system, traditional rulership, Nigeria, structure, election, administration of the sultan of Sokoto, Oni of Ife, obi of Onisha, Tor Tiv and Shehu of Borno, Lamido of Adamawa.

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Introduction

Local government administration has drawn a lot of scholarly interest since Nigeria's federal system was implemented in the 1950s (Adamolekun 1979; Gboyega 1987; Ekpo and Ndebbo 1998; Oyediran 2001; George 2010; Bamidele 2013). According to Adeola (2008), Gboyega noted four significant periods in the evolution of Nigeria's local government system: (i) the introduction of a more liberal and participatory approach to local governance in the 1950s; (ii) the advent of military rule, which replaced the model of grassroots participatory democracy with military centralization and a "unity of command" scheme; (iv) the comprehensive reform of local government administration in 1976, which restored liberal participatory values; and (iii) colonial rule, which was based on a traditional administrative system and existed

from 1903 until the native authority system became obsolete in the 1950s.

These two historical periods continue to influence Nigeria's local government's composition and functioning. First off, the relationship between the federal government and local government has been significantly impacted by the centralization that was implemented during military administration. Second, the 1976 local government reform has influenced later discussions and changes. It is essential to observe that the 1976 reform recognized the local government system as a legally formed, locally governed entity with certain authorities. We'll talk about this again later.



The ultimate purpose of local governments is to bring the government closer to the people at the local level. The goal of Nigeria's local government reforms was to expedite development while also empowering the local populace to engage and hold the ruling class responsible for their governance responsibilities. Even though local government is widely regarded as a powerful tool for mobilizing people for local participation in governance, a true third tier has never taken off in Nigeria's governance structure. Numerous studies have identified the problems plaguing the Nigerian local government system, including inadequate budget, a lack of human resources, corruption, subpar service performance, and more. The shortcomings in the constitutional framework and the reforms that have influenced Nigerian local government operations, however, have received little attention. In light of these reforms and their constitutional provisions, this paper will explore the flurry of debate and evaluate how local government may be made more relevant.

There are eight sections in the paper. The introduction is the first section. The issue statement is presented in part two, followed by the study's aims and methodology in section three, the historical development of Nigeria's local government system in section four, an examination of its constitutional underpinnings in section five, and a summary of the study's main conclusions in section six. The study is concluded and recommendations are made in sections seven and eight.

Statement of the Problem

Without a question, one of the most well-known federal states in the world is Nigeria. The Nigerian federation has changed over time and experienced significant political restructuring in order to achieve the goal of true federalism, much like many other federal nations. Nigeria's federalism has sparked a great deal of discussion and controversy, possibly more than other federal unions. The federation's three-tiered structure—the federal government at the center, the Federal Capital Territory and 36 state governments, and 774 local municipalities—is a point of contention.

The people's culture and traditions were preserved by the traditional rulers of the pre-colonial society over the years. Additionally, they participated in the colonial-era Western government. According to records, from 1944 to 1951, a few traditional leaders in the country's north served in the house of chiefs. Together with the Regional Houses of Assembly, Traditional Rulers also passed laws. As independence drew nearer, things began to shift. After independence, it got worse. After the 1979, 1989, and 1999 constitutions were ratified, a lot of questions were raised, which made things complex. The following are a few anticipated issues with traditional institutions:

- The constitution of Nigeria made little or no provision for traditional rulers.
- Traditional rulers in the country are not well funded.
- Corruption among traditional rulers had weakened their powers.
- Many traditional rulers are easily manipulated by political and military leaders for their selfish purposes.
- Many traditional rulers only reign and not rule.

The constitutional standing of local government as the third tier of the federation has been interpreted differently ever since the

concept of a multi-tiered federation was first proposed. The 1976 local government reform made an effort to make this clear, but it lacked the legal foundation for any significant reorganization. In a similar vein, neither the 1979 nor the 1999 constitutions offered the constitutional support required to operationalize the change. Both the federal and state governments were able to manipulate the situation because of this gap. According to the 1999 Constitution's Section 7(1): As stated in the authors' emphasis, "this constitution guarantees the system of local government by democratically elected local government councils; therefore, the government of every state shall, subject to section 8 of this constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance, and functions of such councils." According to the constitution, the state houses of assembly would enact laws pertaining to the establishment of local governments. As a result, the legal system only acknowledges local governments as an extension of state governments, which have complete control over them, rather than viewing them as a third level of government.

There is no doubt about the federal and state governments' constitutional status. As a result, the 1999 constitution's Chapter V, Part I (Sections 47–89) has comprehensive provisions for the federal legislative branch of government. Similar provisions are made for state-level legislative branches of government in Part II (sections 90–129) of the same chapter. Additionally, provisions are made regarding the executive functions and powers of the federal and state governments. The constitutional autonomy and legal framework necessary for the federal and state governments' operations are automatically granted by these clauses. Since municipal governments are not covered by this clause, their constitutionally guaranteed third-tier status should be viewed with caution.

In the second schedule of the 1999 constitution, two types of legislative power are categorised, namely the Exclusive Legislative List and the Concurrent Legislative List.¹ It is curious to note that in the Concurrent Legislative List no mention is made of local government – a situation that further undermines the third-tier status of LGs.

Furthermore, local government councils are essentially administrative branches of the state government, as can be seen by closely examining the fourth schedule of the 1999 constitution, which lists the duties of local government. As an illustration, item 2(d), which discusses the duties of local councils, states: "The functions of a local government council in the government of a state as respects the following matters... and such other functions as may be conferred on local government councils by the House of Assembly of the state" (authors' emphasis). This clause gives state governments complete authority to determine what local governments in their states can or should accomplish, as well as to take over certain of the specific duties listed in items 1(a)–(k).

Last but not least, the 1999 constitution's implementation of the State Joint Local Government Account (SJLGA) weakened the 1976 reform's aim to grant LGs financial sovereignty. The 1976 reform envisioned democratic federalism beginning with the extension of popular involvement to the local government, which is the branch closest to the people. This would necessitate a feasible level of constitutionally recognized financial sovereignty. However, efforts to elevate local governments to the third tier have been thwarted by the creation of the controversial SJLGA. This paper's discussion part provides a detailed review of the SJLGA.

Objectives of the Study

The main objective of this study is to review contemporary debates on the local government in Nigeria in order to underscore the relevance of the federal constitutional framework to the country's challenges. The specific objectives are to:

- Expose the constitutional fault lines that affect local government in Nigeria;
- Identify the tendencies on the part of state actors that have contributed to this situation; and
- Make policy recommendations that could restore and protect the status of local government administration in the spirit of true federalism.

Both descriptive and analytical techniques have been used by the writers. Official documents, policy declarations, and a sizable body of relevant literature were all consulted in this process. The Federal Republic of Nigeria's 1979 and 1999 constitutions, the findings of the different national political conferences, and the 1976 report of the commission on local government reform were all cited in relation to official documents. A literature review offers a variety of viewpoints on the subject. The following analysis and discussion are based on the results of this theoretical study.

Scope of Study

The study is conducted in Nigerian states under the authority of traditional leaders in community development. However, information will be gathered from the State's federating local units' Local Government Areas. The reason for this is that the researcher thinks he might not have access to the Council of States and the State Council of Chiefs at the federal level. The researcher decided to investigate the functions of traditional rulers in the traditional council in the Local Government Area of Nigeria State in accordance with the 1999 constitution.

Operational Clarification of Terms:

Traditional Ruler:

A traditional ruler is the person of his ancestry who occupies the throne or stool and who has been appointed to it in accordance with the customs and the traditions of the said area.

Social and Economic:

This refers to a third sector of the economy that exists between the public and government sectors or between the private and corporate sectors. It comprises organizations like charities, non-profits, and cooperatives. In order to meet the demands of members and users that have been disregarded or insufficiently met by the public or private sectors, as well as to find novel and creative solutions to problems (whether they be social, economic, or environmental in nature), the social and economic sectors typically develop.

Development:

This can be defined as a change and the process of economic, political and social transformation.

Economic Development:

Anyanwuocha (2001) defined economic development as the process of increasing real per capita income and engineering substantial positive transformation in the various sectors of the economy. The positive changes which take place improve the general well-being of the people and ensure a sustained rise in the standard of living of the masses.

Local Government:

It is the level of government that is closest to the general populace. According to Bellow Imam, a local government is an administrative unit having a specified territory, authority, and degree of autonomy. According to the United Nations Local Office for Public Administration, a local government is a legally recognized political subdivision of a country or, in a federal system, a state, with significant authority over local affairs, including the ability to levy taxes or demand labor for specified purposes.

- **Local Administration:** This is the system of administration controlled by chiefs.
- **Relevance:** The importance or necessity, usefulness, etc. It could be operationalised as power or vote, etc.
- **Traditional Ruler:** Any head or representative of a traditional institution. It could also mean the paramount ruler of a kingdom, emirate or locality.
- **Votes of traditional rulers:** The power and influence of traditional rulers.

Review of Related Literature

Conceptual Clarification

Local Government:

According to Ojong (2002), local government is a unit of administration with a defined territory, powers, and administrative authority that has a certain amount of autonomy. The people alone have the ability to elect or nominate the administrative authority. This local government is run by a representative council that was created by law and has particular authority in certain areas (Garba et al., 2018). A legally recognized political division of a country, local government has significant control over local affairs, including the ability to impose taxes and require labor for certain objectives. This entity's governing body is chosen locally or through election (Adedire, 2016).

Local government is the system of political decentralization in which power base of decision making is not national but local, in this system functions are locally and directly executed by elected officials who have direct control over local affairs (Wunsch, 2008). This is the most critical level of government in which the momentum to sustain national development can be created.

As to the 1976 rules, local government is a legally recognized representative council with the authority to decide on and carry out projects that will supplement the state and federal level operations in their respective regions, as well as to begin and direct the provision of essential services. The council makes sure that local initiatives that address local needs are maximized through the devolution of functions, active engagement of individuals, and traditional institutions. Rural residents have the opportunity to engage in local decision-making on matters pertaining to national development. Roads, water, power, health, sanitation, education, and other infrastructure are provided at the local level. Montague cited in Adeyeye (2005) views local government as local bodies freely elected to super-intend national or state government, endowed with power, discretion and responsibility without control over their decisions by higher authority. They provide services and implement projects to complement state and federal level activities in rural areas through

devolution of functions and active participation to maximize the needs of rural people (Awa, 2006).

According to Aransi (2000), local governments are administrative entities that are closer to the general populace. They organize local initiatives to address local needs and ambitions, mobilize the community based on people and material resources, function as agents of local service delivery, and offer fundamental frameworks for grassroots participation in the democratic process. Transparency and accountability of grassroots officials are essential at the local level to meet the requirements of Nigerian rural residents. Establishing an accountable and transparent culture at the local level in Nigeria is the first step towards achieving these favorable outcomes from service delivery.

Local government, according to Agba and Chukwurah (2013), is the third level of government established to decentralize governance nearer to the people in order to provide services and promote development. Anywhere in the globe, the desire to support grassroots development led to the establishment of local government. Since service delivery has an impact on people's daily lives, all political systems aim to achieve efficient and effective service delivery. By applying the necessary human resources to provide effective and efficient services in the communities, local governments are able to express and facilitate the requirements of rural residents (Ugwu, 2000). In Nigeria, they are required under the constitution to guarantee citizen involvement in governance and to offer social and other essential services to the populace (Nzekwe & Izueke, 2012). Local government are the prime movers of institutional development in Nigeria. Their importance on the well being of its citizenry cannot be over-emphasized. The people are intimately affected by the activities of local government daily. The idea of creating local government allows people in the grassroots to promote democratic ideals and coordinate development programme directly to rural areas.

According to Ezeani (2005), local government may improve the lives of rural residents and advance rural development by managing financial resources wisely and defending democratic participation for both inside and outside of government circles. Lack of initiative on the side of local government to look for alternate sources to supplement revenue allocation from the federation account may be the cause of the current financial shortage. As was common during military rule, the majority of local administrations suffer from an excessive reliance on center aid. The operations of local government, whether in rural and urban regions, invariably impact the well-being of the majority of Nigerians by providing or failing to provide essential amenities including roads, water, health care, and education. Local government are the focal points for promoting development and cultural revival through community projects, mobilization of human and material resources for rural developments.

Local government, according to Onah (2006), is in a strategic position to integrate rural communities while making effective and efficient use of financial resources to deliver social services and take part in governance to promote rural development. As a result, local government functions within the legally defined lowest echelon of society. This level of government is more accessible to rural residents and has been tasked with meeting their needs and goals.

According to Mill (1921), referenced in Ajayi (2000), local government is one organization that offers political education. It

serves as a platform for fostering political training and leadership skills in aspiring local politicians. The idea of local governments is compelled by the desire to spur growth, increase citizen participation, and improve government responsiveness (Lawal & Oladunjoye, 2010). Decentralization, national integration, governance proficiency, and a sense of community at the local level are all facilitated by local government. It serves as a vehicle for the dissemination of ideas and the advancement of the general populace to higher governmental levels (Adejo, 2003; Agagu, 2004).

Ikelegbe (2005) defines local government as a part of a country's constituent states that is created by law to deliver services and control public affairs within its borders for the benefit of rural residents through local representatives. In a federal state, local government is a political subdivision established by law to have significant authority over local affairs, including the authority to levy taxes or demand labor for specified uses. Local government is the lens through which higher levels of government perceive people at the grassroots level to feel the influence of governance, according to the Federal Republic of Nigeria's 1999 Constitution (FRN, 1999).

Traditional Ruler:

According to Egwube (1988:154–157), traditional institutions are described as follows: Those who hold positions of communal political leadership that are sanctioned by immorality and who, with the approval of the community, are given the power and legitimacy to manage the affairs of specific ethno-cultural or linguistic groups in a systematic way are known as traditional rulers. Such power is based on tradition rather than charm or legal justification.

A traditional ruler is "the person who by virtue of his ancestry occupies the throne or stool of an area and who has been appointed to it in accordance with the custom and tradition of the area," according to the Dasuki Committee Report (1987), which echoes this definition. "The agencies and custodians of traditional practices" is a specific way to describe traditional institutions. the traditional regulatory organizations that control an ethnic community's daily activities. They consist of, among other things:

- Traditional rulers and chiefs;
- The lineage;
- The Extended Family System;
- The Nuclear Family (marriage relations);
- The age Grade;
- Professional of Justice; and
- Official Court Historians, Griots and Praise Singers". (Obasanjo and Mabogunje, 1992:64).

Conceptual Framework: Discourse

General Overview on the Evolution of the Local Government System in Nigeria

The Native Authority Ordinance of 1916, which was passed by the British colonial authority supposedly to capitalize on the traditional administrative systems already in place in the various regions of the present-day Nigeria, is credited with helping to shape the country's local government structure. According to Ikeanyi (2009), the ordinance was the first legislative framework to operationalize an indirect rule system. However, due of its anti-democratic stance and the fact that it did not mesh well with the conventional administrative structures already in place in the East

and West, this attempt to integrate the local government system was received with strong opposition from those regions. However, the ordinance persisted until 1946, when the new regional assemblies were formed by the Richard constitution. By 1949, the Eastern house of assembly provided a platform for debates that eventually led to the Local Government Ordinance of 1950, which set the scene for a democratic system of local government (Ogunna 1996).

By 1954, all three areas of Nigeria—East, West, and Northern—had adopted democratic principles into their local government systems, and each region had complete authority over the nature, composition, and operations of local government (Ikeanyibe 2009). The 1950 ordinance, however, also signaled the beginning of federal/regional domination over local government administration, which persisted throughout colonial rule and into the post-colonial era in modern-day Nigeria, even though it began to introduce democratic values in local governance.

Despite this colonial past, Nigeria's current local government structure began in 1976 when local government was reformed. The goal of this reform was to put local government administration among the best in Africa by modernizing and restructuring it. The goal of the 1976 reform was to promote uniformity in local government administration throughout the federation and to extend the federation idea by bringing government to the grassroots level (Olanipekun 1988).

Since Nigeria achieved a unified system of local government for the first time, the reform marked a significant shift. Additionally, the financial system underwent a restructuring that included the introduction of statutory allocations of Federation Account funds, which allocated a set percentage of federal and state revenue to local governments. The reform also ring-fenced funds to shield local government revenue from state intrusion, claim Ekpo and Ndebbio (1998). Additionally, it outlined several possible sources of internally generated revenue for local governments, such as taxes like community, flat rate, and poll taxes; rates like property, education, and street lighting rates; and fines and fees like court fines and fees, motor park fees, forest fees, public advertisement fees, market fees, regulated premises fees, birth registrations, and so on. In order to make the reforms work, local government officers and local politicians were given a free hand to operate with little or no interference in their daily affairs. State ministries for local government only had responsibility to advise, assist and guide – not to control the local governments under their jurisdiction. Traditional rulers were also protected from party politics under the 1976 reforms.

When the federal military administration implemented civil service changes in 1988, local government underwent yet another overhaul. By establishing mandatory departments (such as personnel, finance, and supply) and officers (such as council members, secretaries, treasurers, and auditors general for local government), these sought to professionalize the local government service. The Local Government Service Commission, which establishes standards for hiring and overseeing local governments, had its duties explicitly delineated by the 1988 reform. The goal of each of these clauses was to establish accountable local governance throughout the Nigerian Federation.

The Development and Character of Nigerian Local Government Nigerian local administration has gone through several phases, including pre-colonial, colonial, and post-colonial. There were several traditional political structures in place during

the pre-colonial era that were suitable for meeting the political demands of the various ethnic groups at the time (Okoli, 2000). According to Agba, Akwara, and Idu (2013), these traditional political institutions were seen as a type of local government established by ethnic groups such as the Hausa/Fulani, Ibo, Yoruba, etc. the provision of social services to suit the needs of the people within their domains. The colonial government's creation of Native Authority marked the second stage. It was designed to accommodate local government systems that were already in place in the institutions of the different ethnic groups. The Native Authority was charged with the collection of taxes, maintenance of law and order, road construction and maintenance, and sanitary inspection, especially in township areas (Ukiwo, 2006; Agba, et al 2013; Eboh&Diejomaoh, 2010).

With Nigeria's independence in 1960, the third phase began. In both the Eastern and Western regions, this phase was distinguished by a multi-tiered local government structure that accommodated both elected and traditional elements (Agagu, 2004; Ukiwo, 2006; Agba, et al., 2013). During this time, each states had their own local government systems. However, the 1976 local government reforms, which were started by the military government led by Muritala and Obasanjo, gave local government management a new dimension. The 1976 local government reforms gave Nigerian local government administration financial and functional autonomy, established a standardized system of local government administration across the nation, and acknowledged local government as the third tier of government. A population threshold for the creation of local governments was also adopted by the reforms. As a result, a local government was thought to be practicable with a population of 150,000 to 800,000. This was done for convenience and to prevent the formation of an unworkable municipal council. Elective posts were available, with supervisory councilors making up the cabinet and the chairmen serving as the executive head of local government (Eboh et al, 2010). According to Oviasuyi, Idada, and Isiraojie (2010), the reform marked a significant shift from Nigeria's prior local government administration practices. In terms of composition, structure, operations, funding, and democratic existence, it served as the cornerstone of Nigeria's current local government system. To provide services to rural populations, the reform gave local governments the political, administrative, and financial capacity to do so (Imuetinyan, 2002; Ukiwo, 2006; Oviasuyi, et al., 2010). The 1979 Constitution then included 301 local government districts and included the primary principles of the 1976 revision (Boh et al., 2010; Agba et al., 2013). The military rule of Murtalal Obasanjo, which lasted from 1976 to 1979, is typically seen as a turning point in Nigerian local government administration history.

Constitutional foundation of local government administration in Nigeria and relevance of traditional rulers in Nigeria.

Before local government was codified in the 1979 constitution, which established the legal foundation to carry out the 1976 reforms, local government councils lacked clear constitutional status. The main objective was to make sure that every state government had legal provisions for the creation, composition, structure, funding, and operations of local councils (Diejomoah and Ebo 2010). However, this implies that the state governments of each state determine the level of autonomy, power, and significance of local councils in decision-making. State governments have consistently exploited the constitutional framework's gaps to control the operational and financial frameworks of local governments.

The roles and duties of municipal government were outlined in the 1979 constitution. Functions can be divided into three categories: those for which local governments are solely responsible, those for which they share accountability with higher governmental levels, and those that the state or federal government may occasionally delegate to local authorities (Oviasuyi et al. 2010). Furthermore, democratically elected government councils nationwide were guaranteed by the constitution: "This constitution guarantees the system of local government by democratically elected government councils." (Section 7(1), Chapter 1, Part 2). The 1979 constitution stipulated in Section 149 that states must supply finances for local governments in their jurisdictions, and it permitted local governments to receive federal allocations (Bamidele 2013).

With a few exceptions, the 1999 constitution essentially adopts the same stance on local government as the 1979 constitution. The 1999 constitution outlines the duties of local government in Nigeria in Section 7(2) of its fourth schedule. Therefore, in theory, local government is a branch of government with certain powers and jurisdiction as well as a certain amount of autonomy. According to the constitution, local government can provide and maintain health services, develop agricultural and national resources, provide and maintain primary, adult, and vocational education, and perform other duties as delegated by the state assembly. Nigerian governments that are democratically elected are likewise guaranteed by Section 7(1). On the strength of these provisions, the 1999 constitution acknowledged the powers of local government councils as articulated in the 1976 local government reform to the effect that:

These powers should give the council substantial authority over local affairs as well as the staff and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and federal government. (Ibeto and Chinyeaka, no date, p. 183)

Additionally, Section 162 (5, 6, 7, 8) allows local governments to be funded through the Federation Account. In particular, paragraph 6 states that "each state shall maintain a special account to be called the State Joint Local Government Account," into which all funds allotted to local government councils from the Federation Account and the state government are to be deposited. Naturally, this is the opposite of the federal government's 1988 reform (Abutudu 2011). According to Khalil and Adelabu (2011, p. 143), Section 4 of the 1999 constitution additionally stipulates that:

ton, the 1999 constitution states that "the government of every state shall, subject to Section 8 of the constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such council" (Constitution of the Federal Republic of Nigeria 1999, p. 88).

These provisions, among others, constitute the legal framework for local government administration in Nigeria. The implications of this constitutional foundation for a well-functioning local government administration will be examined in the latter part of this paper.

Pre-Colonial Local Government System in Nigeria (The Native Authority)

The western world believes that the colonialists established Nigeria's current local government system while the country's pre-

colonial cultures were in a state of anarchy, or "state of nature," with no leadership or system of governance. The current Nigerian structure, in contrast, is a collection of numerous ethnic groups, including tribal communes, city states, village republics, kingdoms, and empires, all of which established their own autonomous political structures.

The Nigerian people created their own indigenous kind of administrative structure throughout the many entities (political systems) prior to the arrival of colonial authority. (Gboyega, 1987:13; Ola, 1984:20) These administrative structures were later created and altered by the colonial authority to create the so-called "indirect rule system," which was used to regulate the native population through their traditional leaders. Nigeria's local government system evolved as a result of this type of administration. The British used two different forms of government to control the entire nation during the colonial era. The first was the protectorate system, which functioned in the north and some areas of the south, and the crown colony system, which was mostly in Lagos. Under the crown colony system, the British administered and exercised direct control over the territory, whereas protectorates were administered indirectly through their traditional authorities (Jamo, 2006).

Nigeria's local government system has a long history that dates back to the colonial era. Although Igbuzor (2007) claims that the Nigerian people have been in contact with Europeans from the fifteenth century, Britain did not take any action to establish an administration until 1861. The region was governed by the British using an indirect rule method. Native people were governed by their traditional leaders under the system. As a result, the Native Authority system was established between the 1890s and the 1930s. The preservation of law and order was the primary duty of the indigenous rulers.

The indirect rule system as opined by Ola (1986) was basically rested on the native authority system which comprised the following interested component:

- The Resident officials which were appointed by the British.
- The Native Authority, headed by the indigenous chief who enjoyed some legitimacy in indigenous political and administrative system.
- The Native Treasury, and,
- Native Court.

In Nigeria, the colonial government recorded varying degrees of success. These disparities were mostly caused by the various administrative structures used in various locales. A highly centralized administrative structure and a well-established taxation system, for example, coexisted with a highly developed judicial system that was reinforced by a written constitution in northern Nigeria, where the system achieved complete success (Jamo 2006).

The caliph, who lived at Sokoto, the Caliphate's capital, was at its center. The Caliph had authority over the entire area and some degree of legitimacy. The Emirate, or Gari in Hausa, was ruled by the Emir, or Sarki. For ease of administration, the emirate was split up into districts, each of which had a district head (Hakimi in Hausa). In addition, each district had numerous villages, each of which had a head, or "Dagaci" in Hausa, and was further subdivided into numerous words, or "Anguwanni" in Hausa. As a result, the Hausa-Fulani pre-colonial traditional administration was characterized by a constitutional distribution of

powers between the central authority and subordinate divisions (Jamo, 2006).

The colonial rulers created ordinances to direct the actions of the native authorities in order to take advantage of this well-established structure. For example, Owotokun (2005) said that "the first local administration ordinance was the native administrative ordinance N0 4 of 1916 which was designed to evolve from Nigeria's first institutions the best suited form of rule based on people's habits of thought, prestige, and custom." He claimed that while indirect control was implemented in the remainder of the north, these local administrations were utilized in the country's eastern regions.

There were Native Authorities' Ordinance, Native Revenue Ordinance and the Native Courts ordinance. The law gave Sir Fredrick Luggard, the governor general, the authority to designate NA for local government in any territory (FGN, 1998:1). Through the Native council of traditional rulers, the Colonial Government employed the Native Authority system as an advice tool. Even However, not all of the pre-colonial Nigerian states had the same traditional structures that would have allowed native leaders to thrive. The traditional king is designated as the exclusive protector of his territory under the native authority ordinance. In order to support the indirect rule system in areas without traditional rulers, warrant chiefs were appointed. The judicial council was responsible for administering justice in a variety of instances, including criminal offenses, land disputes, and offenses against the state. However, this was subject under the provincial court which was presided over by the provincial residents (Williams, 2003).

However, Southern Nigeria's lack of centralized traditional authorities made the first changes necessary in the 1930s and 1940s, resulting in the installation of chiefs-in-council and chiefs-and-council as the only native authorities. The chief and council members make up the Chief-in-Council. All meetings are presided over by the chief, who follows the council's majority decision. However, he would take whatever action he deemed appropriate and notify the local governor if he disagreed with the council. However, in a chief-and-council, the chief has no authority to defy the council's judgment or recommendation. Representatives of British trading interests and missionaries were chosen to serve in the NAs under this directive. Non inclusion of the educated elites in the process of appointment of nominated members by the colonial government further aggravated agitation for reforms in the NAs.

The Richard Constitution that came in force in 1946 restructured the country into three regions; this has tremendous impact on LG system in Nigeria. The regions now have some degree of authority over their LG thanks to the new structure. For example, the Eastern Regional House of Assembly established a committee to assist the regional government on LG reform starting in 1948. As a result, the LG statute was passed, establishing a three-tiered LG structure in the Eastern region. Meanwhile, the LG system reform process started in the Northern area. A commission to investigate the NA system was established in 1952. Once more, this led to the 1954 Native Authority Ordinance, which made minor adjustments to the LG administrative structure in the area. In a similar vein, in 1952, the Western regional House of Assembly passed legislation establishing a representative LG system for the area. (FGN, 1998:2).

The first widely elected local government council, modeled after the British Whitehall, did, however, appear in Lagos and the

old Eastern and Western districts between 1950 and 1955. In Lagos and the then-Western area, traditional rulers made up no more than 25% of the councils. Nonetheless, there were slow changes in Northern Nigeria. The Eastern Region Local Government Ordinance of 1950, the Western Region Local Government Law of 1952, and the Northern Nigerian Native Authority Law of 1954 established the legal foundation for local government during that time. A broader variety of responsibilities, such as primary education, health, law enforcement, and the judiciary, were assigned to the councils during that time. This is in line with the implementation of the colonial government's ten-year welfare and development plan (1946-1956). The councils as Igbuzo (2007) posited enjoyed a great measure of autonomy in financial, personnel and general administrative matters. It can therefore be said that „the 1950s was the era of pupillage for councils in modern local government throughout Nigeria“.

The first elected local government council, modeled after the British Whitehall, was established in Lagos and the former Eastern and Western regions (1950–1955) as part of the decolonization process. A broader range of functions, including primary education, health, police, judiciary, and autonomy in financial, personnel, and general administrative matters, were granted to the councils in accordance with the colonial government's ten-year welfare and development plan, which was implemented between 1946 and 1956. (Ahmad, 2011:2).

Period between 1960-1966

The military took over power in 1966 led to the radical changes in the system of LG administration in regions and the states that later replaced them. The state governments' authority over LGs was not improved by these modifications (Masoud, n.d.). The national police, judicial, and prison services were combined with the local constabulary, courts, and prisons (FGN, 1998:2). The LGs' authority, composition, and operations were still decided by the states. For example, the Development Administration took the role of the previous LG type in the South-Eastern and East Central regions. LGCs were replaced by development councils under the new structure, but they lacked executive and legislative power. Furthermore, local government units (LGCs) were replaced with local administrations in the southeast. In contrast, a council manager was established in the western region in 1973 (Masoud, n.d:4).

The status and responsibility of local councils declined between 1960 and 1966. The Local Government (Amendment) statute of 1960 eliminated councils' authority to impose general and education taxes based on necessity in the former Western area. The high percentage of nonpayment of property rates, particularly those of government institutions, in Lagos led to a decline in the revenue of local councils. Before the civil war broke out in 1967, the situation in Eastern Nigeria was comparable to that in the West. As more elected or appointed non-traditional office holders joined local government, there were steady changes in the councils' composition in Northern Nigeria.. The result was that the local authorities had a stable administration, which enabled them to assume responsibility, with some degree of success for more complex services like primary education. Between 1969 and 71, some state governments introduced some changes in the structure of their councils (Igbuzo, 2007).

The colonial authorities were compelled to implement reforms as a result of the post-World War II nationalistic demands. The necessity of establishing Native Authorities as social

development tools was the most significant conclusion. Then, in order to accommodate representatives, efforts were undertaken to expand its membership. The British Labor Government recognized the necessity of implementing democratic reforms in its African possessions, and the introduction of the election principle was a key reform that gave elected or picked representatives a specific percentage of the membership in the native authority council.

Williams (2003:1) came to the conclusion that the indirect rule system supported the use of native authority as a tool for grassroots development throughout the colonial era. A more effective administrative structure was established with the adoption of the elective principle, and although traditional rulers continued to operate in the background, educated elites started to participate more actively in politics and administration.

Until 1976, when the military government implemented some reforms in municipal governance, this pattern persisted. To investigate the limits of current Native Authorities, as well as their roles, capabilities, and apparatus, an advisory group was established to provide recommendations about the removal of authority from the provincial system of governance. The committee suggested that the title "Native Authority" be changed to "Local Government" and that former native authorities be divided up and reorganized. After that, resident administrators were chosen. In the new local government structure, this further diminished the standing of the traditional leaders (Williams, 2003:1).

Local Government Reforms since 1976 and Beyond

The arrangements of the 1976 reform were incorporated into the 1979 Constitution with the presentation of presidential arrangement of Government. The 1976 reform defined local governments and changed their direction from field administrations of the state governments to being simultaneous local government structures that were responsible to the electorate (Adeyemo, 2005). The reform introduced a most innovative and rather radical departure from the existing structured pattern of local government in the country. High-lights of the reform are:

- Eradication of divisional Administrative system Previously in activity in some parts of the Country, • Provision of federal grants to be disbursed to local governments through the states;
- Introduction of Supervisory Councillorship particularly in the Southern States. Each of the Supervisors was to be in charge of one or more related departments in the local council.
- Primary Health care programme was also transferred to the local council in 1990.
- Primary school administration followed in 1991. There was separation of power and appointment of political secretaries.
- Local Council Service Commission was abolished in 1992 and later reinstated. The revenue allocation formula was raised to 20 per cent. Later the councils were increased to 774, with administration and financial autonomy granted.
- Gains in Council reforms appeared harmed by the 1999 Constitution, which introduced ambiguity and contradictions in the control and running of the local councils.

Early in the 1980s, the expansion of local governments due to the 1979 constitution's grant of states the power to establish local government essentially overshadowed the 1976 gains in local government reforms (Abutudu 2010). This had the unintended consequence of highlighting the local government level's inadequate capacity for governance and making it more difficult for a significantly larger number of local governments to share the few resources available. Furthermore, as is usually the case in a presidential system of government, the reform did not solve the problem of power division between the branches of government. However, with the adoption of the presidential system of governance in 1979, Odion-Akhaine's Constitution included all of the 1976 revisions' provisions.

Dasuki Local Government Review Committee of 1984:

It was believed that the 1976 national local government changes were not able to produce the desired impact because of these obvious shortcomings. The Dasuki Local Government Review Committee was established in 1984 as a result. The Alhaji Ibrahim Dasuki Report of 1986 improved local council conditions. The exercise ultimately made the local government issue worse. According to Ukiwo (2006), the government white paper placed local governance under state authority. Local governments received far less money from outside sources. Only 10% of state governments' internal revenues were to be made accessible to local governments; however, this was not done. The subjection of the local governments to the States was finished with the presentation of Sole-Administrators, who became specialists of the State governments and the addition of 1976 change was lost (Eboh and Diejomaoh, 2010). The proposals likewise prompted the rejecting of the state ministries of local council in 1988 and the approach of direct dispensing of statutory designations was presented.

Local Government Reform of 1988:

Following the suggestions of another Local Government Review Commission in 1988, the Federal government received various measures to reinforce local government Olaleye (2001). The new measures were:

- Abrogating State Ministries of local government, which had broad survey and supervisory authority over local governments and its substitution by a division of Local Government in the Governor's office;
- Direct payments of Federal Allocation to the Local Government;
- Ensuring local government are able to prepare and approve their own budgets and taxes independently of State Governments;
- Transferring primary education and primary healthcare and all related personnel and facilities to local government;
- Establishment of the office of Director of Local Government Audit as well as the creation of setting up local government Alarm Committee and
- Also the inclusion of Traditional rulers in the Local Government affairs Additional Government Reforms
- 149 councils were created in 1989 and new allocation formula was drafted

For example, Section 7 (1) States:

"The system of Local Government by democratically elected local councils is under this constitution guaranteed; and accordingly, the government of every state shall subject to Section

8 of this constitution, ensure their existence under a law which provide for the establishment structure, composition, finance and functions of such councils." Section 7(6a) provides that "the National Assembly shall make provisions for statutory allocation of public revenue to local councils in the federation." And Section 7(6b) compounds the confusion by stating that "House of Assembly of a State shall make provisions for statutory allocation of public revenue to local councils, within the state." In addition, Section 8 (5 and 6) empowers the National Assembly to legislate on new councils before they can become legal. With the state government, state House of Assembly and the National Assembly all having roles to play in the affairs of the local council, it is not a surprise that confusion, intrigues and non-performance has been the lot of governance at the grassroots levels, hence the need for reforms.

The Local Governments Administration under 1989 abortive third republic and 1999 constitution of fourth republic (comparative perspective).

The 1989 Constitution and Local Government Administration

In 1989, the Third Republic's constitution was drafted. The military head of state, General Ibrahim Badamasi Babangida (IBB), pledged to abolish military rule by 1990. In order to prepare for the Third Republic, the federal government made a number of constitutional amendments in 1989 that were intended to eliminate the shortcomings of the local government system. The local government system is becoming more autonomous and acknowledged as a third level of government as a result of these provisions (Adeyemo, 2005). In the defunct third republic, the federal government went farther to ensure local autonomy in order to support the growth of a democratic culture at the grassroots level and ensure a genuine grassroots democracy. In December 1990 there were elections into the councils. According to the guidelines on Application of the Presidential System and its Logic to Local Government 1991 and in accordance with the Implementation of its Basic Constitutional and Transitional Provision (Amendment) Decree 1992, the local government council which constitute the legislative and the executive arms were charged with some functions (Adeyemo, 2005).

Certain ideals, including independence and separateness, are inferred by this situation. This implies that each federating unit's autonomy needs to be safeguarded and maintained. This definition of autonomy assumes that every government must exist as an independent entity that can conduct its activities without interference from other governments, rather than as an extension of another government. No unit of government can impose, bestow, or assign powers or duties on another without mutual consent, since the 1989 constitution acknowledged and accepted each unit's autonomy and implied mutual trust and respect. The following remarks were made by President Ibrahim Babangida in support of Nigeria's local government system during his budget speech: Full administrative autonomy and the ability to function in line with the letter and spirit of the constitution shall be granted to local government bodies. Local government councils would have financial autonomy and will not be subject to state or federal government oversight or direction in carrying out their constitutional duty to provide for their people's basic necessities, including primary education. In this sense, the state authority must immediately stop using any kind of control, whether overt or covert. Olayikin (1994). Due to what is commonly known as the annulment of the June 12, 1993 election, which was intended to

install the President of the Federal Republic of Nigeria, the 1989 constitution, which was intended to bring in the third republic, was not fully operational. However, a large number of academics concurred that the 1989 constitution acknowledged, accepted, and valued local government as a third level of government with complete administrative and financial authority. One piece of evidence supporting the aforementioned claim is the direct transfer of local government funds to each local government. Maduabum (2008).

The 1999 Constitution and Local Government Administration

In terms of its origins, the 1999 constitution is merely military. One of the arguments made against it by its critics was that it was everything but a constitution inspired by the people (Agba, Akwara, & Idu, 2013). Following the return to democratic governance in 1999, local government under the current model emerged. Section 7(1) of the 1999 Constitution gave the states authority over local government. As a result, the presidential system of governance has been embraced by the various state administrations. This means that two arms—the legislative and executive arms—with distinct roles must be established at the local level. Akhake (2003). This system has been in place for 17 years, but like the previous modifications, it is likely that the new system will undergo a thorough evaluation that takes into account all of its shortcomings. From all indications, it is clear that the system administrators, not the system itself, need to do more to address the problems with the various modifications. Regardless, with regard to its relationship to Nigeria's Local Government Administration, the 1999 Constitution can be said to protect the tripartite system of grassroots governance. the legal executive, the legislative branch, and the official. The executive, director of bad habits, administrator or supervisory councilors, and the full neighborhood government organization machinery are all under the official's control. The legislative functions are meant to be performed by the councilors, who represent the wards which make up the Local Government Area Adewumi (2005).


The legal executive then again is streamlined with the administrative and state and local government can profit itself of the legal procedure accessible to it. One noteworthy observation from the outset is that local government has persisted as a political entity in Nigerian politics (Eboh & Diejomaoh, 2010). This is due to the 1999 constitution's perception of reality. According to the constitution, bury alia. According to Section 8 of this constitution, the administration of each state will, if necessary, ensure their reality under a law that accommodates the foundation, structure, organization, account, and elements of such committees. This ensures that local government is arranged by carefully chosen government gatherings (Federal Republic of Nigeria Constitution 1999). According to the constitution, this union is required (Akwara & Idu, 2013).

In addition, as with the administrative and political underpinnings of the states, decisions must occasionally be made at these local government meetings. Since local administrations are viewed as stepping stones to more senior political positions within the federation, this becomes essential. With a few exceptions, the 1999 constitution essentially adopts the same stance on local government as the 1979 constitution. The 1999 constitution outlines the duties of local government in Nigeria in Section 7(2) of its fourth schedule. Therefore, in theory, local government is a branch of government with certain powers and jurisdiction as well as a certain amount of autonomy. Akaakuma (2008).

According to the constitution, local government can provide and maintain health services, develop agricultural and national resources, provide and maintain primary, adult, and vocational education, and perform other duties as delegated by the state assembly. Nigerian governments that are democratically

elected are likewise guaranteed by Section 7(1). The 1999 constitution recognized the authority of local government councils as stated in the 1976 local government reform because of these clauses.

Local Government System Of Administration In Nigeria Nigeria

Capital	Abuja  9°4'N 7°29'E
Largest city	Lagos
Official languages	English
National languages	Hausa Igbo Yoruba
Regional languages	Over 525 languages
Ethnic groups (2018)	30% Hausa 15.5% Yoruba 15.2% Igbo 6% Fulani 2.4% Tiv 2.4% Kanuri 1.8% Ibibio 1.8% Ijaw 24.9% other
Demonym(s)	Nigerian
Government	Federal presidential republic
President	Bola Tinubu
Vice President	Kashim Shettima
Senate President	Godswill Akpabio
House Speaker	Tajudeen Abbas
Chief Justice	Olukayode Ariwoola
Legislature	National Assembly
Upper house	Senate
Lower house	House of Representatives
Independence from the United Kingdom	
Northern Nigeria Protectorate	1 January 1900
Southern Nigeria Protectorate	1 January 1900
Unification of Nigeria	1 January 1914

Declared independent as a sovereign state	1 October 1960
Became a republic	1 October 1963
Current constitution	29 May 1999
Area	
Total	923,769 km ² (356,669 sq mi) (31st)
Water (%)	1.4
Population	
2023 estimate	▲ 230,842,743 (6th)
Density	249.8/km ² (647.0/sq mi) (42nd)
GDP (PPP)	
Total	▲ \$1.365 trillion (27th)
Per capita	▲ \$6,147 (143rd)
GDP (nominal)	
Total	▼ \$390.002 billion (39th)
Per capita	▼ \$1,755 (154th)
Gini (2020)	▼ 35.1 medium
HDI (2022)	▲ 0.548 low (161st)
Currency	Naira (₦) (NGN)
Time zone	UTC+01:00 (WAT)
Driving side	right
Calling code	+234
ISO 3166 code	NG
Internet TLD	.ng

According to Sections 7(1) and (5) of the Constitution of the Federal Republic of Nigeria, 1999, local government in Nigeria is a system made up of democratically elected Local Government Councils, whose existence is guaranteed by the government of each State under Section 8 of the Constitution through legislation that addresses the councils' creation, composition, structure, funding, and duties. Nigeria will be a federation made up of states and a Federal Capital Territory, according to Section 2(2) of the Constitution.

Section 3(6) of the Nigerian Constitution recognizes the existence of Local Government Areas, but it also designates them as an extension of the State Government. Local Government Councils in Nigeria are a level of government, although they are managed and controlled as an appendix by the State Governments, according to a joint interpretation of Sections 3(6) and 7(1) and (5)

of the Constitution. Only when State Governments enact legislation defining the duties of Local Government Councils can the Nigerian Local Government Councils' Fourth Schedule of the Constitution be brought into effect.

The provisions of Section 162 (6), (7) and (8) of the Constitution contain the external source of revenue to the Local Government Councils. It provides thus:

- Each State shall maintain a special account to be called “State Joint Local Government Account” into which shall be paid all allocations to the Local Government Councils of the State from the Federation Account and from the Government of the State.
- Each State shall pay to Local Government councils in its area of jurisdiction such proportion of its total revenue

on such terms and in such manner as may be prescribed by the National Assembly.

- The amount standing to the credit of Local Government Councils of a State shall be distributed among the Local Government Councils of that State on such terms and in such manner as may be prescribed by the House of Assembly of the State.

Instead of paying the Local Government Councils the accumulated allocations, the State Governments re-allocated the cash accruing to the Local Government Councils from the Federation Account through a body called the "Joint Allocation Account Committee" (JAAC). The Local Government Councils typically have just enough money left over after the re-allocation process to meet ongoing obligations. In accordance with Section 162(7) of the Constitution, the States also neglect or fail to pay a share of their overall revenue to the Local Government Councils on terms that may be decided by the National Assembly. The State Governments have also taken over from the Local Government Councils, those functions that have revenue yielding potential under the cover that the Local Government Councils do not have the financial powers to exercise them.

The Constitution's Section 198 grants state governments the authority to establish the State Independent Electoral Commission (SIEC), which will be in charge of planning and carrying out elections for Local Government Councils. Instead, the state governments would rather have councils run by Caretaker or Transition Committees. The Local Government Councils' tenure is not covered by the Constitution. As a result, the Nigerian local government system now provides a variety of tenure options, ranging from one to three years, depending on the preferences of each state government. According to the aforementioned, Nigerian Local Government Councils are viewed as extensions of the State Governments rather than being granted autonomy as a level of government. Additionally, the local governments are not financially or administratively independent.

Each of Nigeria's 774 local government areas (LGAs) is run by a local government council, which is made up of other elected members known as councillors and a chairman who serves as the chief executive. A minimum of 10 and a maximum of twenty wards are created within each LGA. A councillor oversees a ward and answers directly to the chairman of the LGA. The legislative arm includes the council members.

Structures and Functions of Local Government in Nigeria:

Under the 1999 constitution, Nigeria has a single tier system of local government. One other significant provision on local government in the constitution is the clear creation of room for separation of powers.

The Executive Arm of Local Government

The Executive Arm of local government consists of the Chairman, Vice Chairman, Supervisors and Secretary.

The Chairman serves as the local government's chief executive and accountant. Although he must approve all payments, his role as the Accounting Officer does not allow him to sign checks or vouchers. He does a lot of things. Observing and fully adhering to the checks and balances outlined in the current guidelines and financial regulations governing receipts are just a few of these duties. He also ensures accountability because he can be held accountable both during and after his tenure in office, and

he must undergo periodic checks to ensure complete adherence to all pertinent financial laws. Beyond these, the chairman also directs the affairs of the local government; he allocates responsibilities to the vice chairman, supervisors and the secretary to the local government; he conducts the meeting of the executive committee of the local government – vice-chairman, supervisors and the secretary – at least once a week.

The Executive Committee of the Local Government

The Executive Committee of the local government consists of the chairman, a vice-chairman elected with him, the supervisory councilors appointed by the chairman and a secretary also appointed by the chairman.

Upon assumption of office, the chairman presides over the meetings of the committee. The committee meets at least once a week. It considers memoranda from the departments and any Head of Departments may be summoned by the committee to make clarification on any matter relating to its memorandum or any issue under the consideration of the committee.

Vice-Chairman

The vice-chairman in the administration of the local government is assigned the responsibility of administering department of the local government. He acts for the chairman in his absence.

The Secretary to the Local Government

A member appointed by the chairman is the secretary. He carries out the following duties in his role as the local government's secretary: coordinating the activities of the local government's departments, serving as secretary of the Executive Committee meetings and maintaining meeting records, communicating with the local government council via the Leader of the Council on behalf of the chairman, communicating with the relevant state government officers regarding state-local relations, and performing other tasks that may occasionally be assigned to him.

Supervisors

These are political appointees of the local government. Upon appointment, they are assigned a department each for supervision. More specifically, their

Functions include:

- Serving as political heads of their respective departments; serving as members of the Executive Committee of the local government; giving directives to the
- Professional heads of their respective departments on general policy issues; assisting the chairman to supervise the execution of local government projects within their respective departments and carrying out such other duties or
- Functions as the chairman may assign from time to time.

The Legislative Arm of Local Government

The Legislative arm of the local government consists of the Leader, the Deputy Leader and Councilors. All the councilors are elected and the leader and the deputy leaders are chosen among the councilors.

The local government council is saddled with the following functions:

- Debating, approving or amending the annual budget of the local government council subject to the chairman's veto which may be set aside by two-third majority of the members of the local government council;
- Vetting and monitoring the implementation of projects and programs in the annual budget of the local government;
- Examining and debating the monthly statements of income and expenditure rendered to it by the chairman of the local government;
- Advising, consulting and liaising with the chairman of the local government.

The law passed by local Government is called bye-laws. After the passage of a

bye-law by the council, the chairman must assent to it for it to have force of law. Functions of Local Government in Nigeria The functions of local government in the country are contained in the 1999 constitution, according to fourth schedule of the constitution; the following are the functions of Local Government; Collection of rates, radio and television licenses; Establishment and maintenance of cemeteries, burial grounds and homes for the destitute or infirm, Licensing of bicycles, trucks (other than mechanically propelled trucks), canoes, wheel barrows And cart, Establishment, maintenance and regulation of slaughter houses, slaughter slabs, markets, motor packs and public conveniences; Construction and maintenance of roads, streets, street lightings, 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 and 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 state, Control and regulation Out-door advertising and hoarding, Movement and keeping of pests 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.

Some other functions include, participation of council in government of a state in

Respect of the following matters,

The provision and maintenance of primary, adult and vocational education, development of agriculture and natural resources, other than the exploitation of minerals, provision and maintenance of health services and such other functions as may be conferred on a local government council by The House of Assembly of the state.

Challenges.

The local governments in the country have been found to perform below expectations because of the following factors:

One of the problems and challenges facing local government administration in Nigeria today is unceasing growth in the rate of corruption. Indeed, corruption and abuse of office by local government administrators have assumed gargantuan proportion. It is perpetrated by both local government bureaucrats and political office-holders.

These categories of local government administrators are neck deep in inflation of contracts, outright embezzlement of council funds, taking kickback on

contracts; and non-execution of contracts among other corrupt practices.

Second and related to this is the growing perception among local citizens that local governments are indeed citadels of sharing national cake. For example, it is now Public knowledge that local government chairmen are not supposed to account for security vote. Thus there is the eagerness among the poor rural folk to share from this so-called free money, whereas, if properly applied and judiciously spent, the vote is supposed to be used by the local government chairmen to pursue their protective functions.

Third, the controlling state governments should show good example in transparency and accountability to local political leaders. This will minimize corruption at local level.

Based on the aforementioned, it is reasonable to say that municipal governance has advanced significantly across the nation. Nonetheless, it is evident that the majority of the nation's municipal governments are not very successful or efficient. Indeed, there is still a strong desire for local government to practice good governance. In any event, it seems that the only way to ensure good governance at the local level is to change the mindset of local politicians and even the local populace. This is not necessarily possible through constant or never-ending structural changes, or reforms.

Local Government Elections in Nigeria and the Role of Traditional Rulers

Both the federal and state legislatures have the authority to enact laws pertaining to municipal elections under the 1999 Constitution, so long as state legislation does not conflict with federal legislation. 38 Once more, only democratically elected local government councils—not interim committees or lone administrators—are guaranteed and recognized by the Constitution. 39 The Constitution gives the State Independent Electoral Commission (SIEC) the authority to hold elections for local government councils in order to fulfill the aforementioned mandate. On the other hand, the Independent National Electoral Commission (INEC) is required to compile voter registration for these elections.

Clearly, the constitutional provision on the conduct of the council's election is contradictory. If local government is a state duty as defined by section 7 and other provisions of the Constitution, how can two legislative bodies be granted the authority to hold elections for local government? "The Government of a State shall ensure that every person who is entitled to vote or be voted for at an election to a House of Assembly shall have the right to vote or be voted for at an election to a local government council," states section 7(4) of the Constitution⁴¹, which clarifies the situation and gives the state government complete authority to guarantee the existence of a democratically elected local government under section 7(1) of the Constitution. "Election to the offices of the President and Vice-President or Governor and Deputy Governor and any other office to which a person may be elected under this Constitution, excluding election to a local government council or any office in such council," states paragraph 22 of the Second Schedule Part 1 of the Constitution, which outlines the Exclusive Legislative List on the Legislative Powers of the federation. The aforementioned suggests that the Constitution calls for the state government to have sole authority over local government elections, with the federal government being excluded.

Avoidable delays and lawsuits regarding the conduct and results of local government elections have been brought on by the aforementioned constitutional provisions. Therefore, the court acknowledged INEC's obligation to gather voter registration for local government elections when they are held. According to the ruling in *Chief Sule Balogun & Ors v. Attorney General of Lagos State & Ors*⁴², among other things, the Lagos state government's use of an invalid voter list to conduct the election was unlawful. ⁴³ In a similar vein, the plaintiff in *Chief Gabriel A. Akanro v. Lagos State Electoral Commission*, ⁴⁴ contested the state's local government elections on the grounds that the voter list to be used was the one that the Federal Electoral Commission (FEDECO) had created for the general elections of 1977–1978 in 1979. It was held *inter alia* that the law required the registration of voters to be carried out for every local government election on a date to be fixed by the state governor and that until such register has been prepared by the FEDECO, the Lagos State Electoral Commission (LASIEC) cannot lawfully hold, organize, undertake and conduct local government election. Consequently, the court declared the election null and void.

This is related to the fact that, while though the National Assembly's authority over local government elections is restricted to enacting legislation pertaining to voter registration and the process that governs elections, it has a tendency to overreach. As an example, in *Attorney General of Abia State & 35 Ors v. Attorney General of the Federation*, the National Assembly passed the Electoral Act 2001, which aims to establish electoral districts and regulate the terms of office for local government chairmen and councilors. In a thoughtful decision, the Supreme Court declared the Act to be invalid, stating that the National Assembly lacked the authority to do so outside of the Federal Capital Territory of Abuja. Hence, the jurisdiction to legislate on the tenure of local government is constitutionally reserved for the states by virtue of Section 7(1) of the Constitution.

It is recommended that only one level of government handle local government elections. Giving SIEC the authority to run the election and allowing INEC to create or update the voter list is pointless and foolish. Experience demonstrates that state governments have over the years simply concealed under their constitutional powers to handpick their party supporters and loyalists and plant them as chairpersons of the councils, despite the fact that a review of the constitutional provision on council elections would indicate that the drafters of the Constitution intended for the state governments to do everything on local government elections.

under the pretense of an election. Furthermore, even before elections to the councils are held, the state governments designate the chairman of SIEC and provide him with the names of the candidates he will select as the winner. Once more, a democratically elected local government council is provided for under section 7(1) of the 1999 Constitution. However, in *Akan v. Attorney General of Cross Rivers State*,⁴⁸ the court had this opinion, interpreting section 7(1) of the 1979 Constitution⁴⁷, which provides for a democratically elected local government council. In the first place, the constitution declares that a system of local government would be governed by democratically elected local government councils. In the second place, the administration of each state is required to make sure that these councils are created by law. This is a mandatory, non-optional requirement. A legislation that does not provide for democratically constituted councils, or councils elected democratically, prohibits any state

government from acting in this regard.

Unfortunately, notwithstanding the aforementioned ruling, state administrations continue to exploit and violate Section 7 (1) of the Constitution by establishing caretaker committees within the council. For instance, elected local government leaders have been routinely ousted and disbanded by the states. Additionally, they had passed legislation allowing them to designate administrators or a caretaker committee to local government councils in place of elected representatives, as the Constitution intended and mandated. The aforementioned claim is supported by countless examples. Therefore, a local government law that called for the formation of a Local Government Council by nominated rather than elected members was deemed to be *ultra vires* the Constitution of 1979, whose operational terms are in conflict with the current 1999 Constitutional provision on the matter, in the cases of *Amodu v. Governor of Oyo State* and *Umar v. Governor of Kaduna State*. In a similar vein, a Local Government Law that allowed the Governor to choose members of the management committee was declared to be in direct violation of section 7 (1) of the Constitution and, as a result, null and void *ab initio* in *Adenij-Adele v. Governor of Lagos State*.⁵³ The Area Councils in the FCT⁵⁴, Abuja, have a great deal of autonomy in many areas. Comprehensive guidelines for holding elections in area councils were established under the Electoral Act of 2010. For example, INEC holds elections to fill the positions of area council members, chairman, and vice chairman. Members of the area councils may also be qualified or disqualified under the Act. The Constitution ought to contain comparable provisions regarding the councils in each of the federation's states. If INEC is given the authority to do so, as is the case in the FCT, we submit that the election process for the council will be transparent.

Traditional Rulership in Nigeria Local Government Administrative System

Over time, traditional rulership has experienced substantial changes that reflect the shifting sociopolitical environments of different communities (Coleman, 2022). In the past, traditional leaders acted as representatives of authority in their communities, arbiters of conflicts, and guardians of cultural legacy (Sokoh, 2018). Their succession was decided by social conventions and customs, and their leadership was frequently inherited (Aniche & Falola, 2020). However, the roles and responsibilities of traditional monarchs changed with the arrival of colonization and contemporary governance systems.

Many African civilizations saw the imposition of indirect rule regimes during the colonial era, in which traditional leaders were enlisted as middlemen in the colonial government (Havik, 2020). They were now subject to colonial authority and restrictions, which was a major change from their customary functions (Omitola et al., 2021). Traditional leaders continued to be relevant and influential in their communities in spite of these changes, but in different capacities (El-Rufai, 2020). *oise*

Traditional leaders still have a variety of responsibilities in their communities today, combining old and new customs (Hilda & Asiazobor, 2021). Their ceremonial roles are still important for maintaining traditional identity and legacy (Asimeng-Boahene, 2023), but they have also changed to meet modern issues including social cohesion, development, and government (Okonkwo & Amechi, 2019). In order to carry out development projects and attend to community needs, traditional rulers frequently work with

governmental and non-governmental organizations (De Kadt & Larreguy, 2022).

But there have been difficulties in the development of traditional rule. Their legitimacy and authority are threatened by internal strife, political meddling, and shifting social norms (Ezema, 2020). Furthermore, conflicts and ambiguities in their positions are brought about by the breakdown of conventional norms and the emergence of contemporary governance systems (Sokoh, 2018). Traditional leaders must manage these issues by striking a careful balance between meeting modern needs and conserving cultural heritage (Ogunode, 2021).

All things considered, the historical development and current functions of traditional rule highlight its adaptability and tenacity in the face of shifting conditions (Umar, 2022). Traditional leaders are essential in advancing development and government at the local level, even as they preserve cultural customs and symbols of power (Zimbalist, 2021). Harnessing the potential of traditional rulers as change agents and promoting successful cooperation between traditional and modern governance systems require an understanding of these processes (Falola, 2021).

Relevance of Traditional Rulers in Contemporary Local Government System

Regarding Nigeria's local government history, succeeding administrations realized that gaining support from the traditional rulers was the most reliable method of winning over the hearts and minds of the populace on important problems of the day. Traditional leaders had some degree of authority and respect in the Local Government administration before to the 1976 Local Government Reforms. However, traditional rulers were essentially excluded from active participation in local government administration with the subsequent local government reforms in 1976.

Various state governments have created emirate/traditional councils with certain functions by edicts in compliance with the 1976 local government reforms. These duties can be summed up as upholding law and order and promoting good governance. The council's ability to advise the federal or state governments on issues presented to it is crucial. In addition, the council was given the authority to decide on chieftaincy-related issues and support local government in collecting taxes on time.

As a result, the establishment of this council increased the authority and status of the traditional leaders inside the local government structure. In actuality, traditional leaders had the ability to shape developments in the local government areas due to the council's powers.

The role of traditional rulers was acknowledged by a careful analysis of the 1979, 1999, and current constitutional provisions. The constitution was successful in denying traditional rulers any political influence by shielding them from partisan politics. With provisions for legislative arrangements to be made by each state government for the creation of local government councils, the current constitution establishes a system of governance at both the federal and state levels.

Constitutional Roles for Traditional Rulers

In the post-colonial era, the importance of traditional institutions to African administration has generated scholarly writing and contentious discussion. There are three main threads in the debate: One extremely skeptical school of thought argues

that chieftaincy should be eliminated since it is outdated, a barrier to the African continent's progress and transition, undemocratic, polarizing, and expensive. According to a different perspective, traditional institutions play a significant role in Africa's history, culture, and political governance structures and are essential to the continent's political change.

A third and more balanced view while acknowledging the limitations of tradition institution because of the manner the colonial administrator's maneuverer them to their advantage, nonetheless, recognizes the fact that traditional institutions constitute crucial resources with the potentials of promoting democratic governance and access of rural communities to public services.

As a result, a critical assessment of the various schools, supported by the contrasting arguments presented above, has prompted additional study in order to gain a better understanding of the significance of chieftaincy in relation to the contemporary constitutions of African governments. Recall that the transfer of constitutional authority to traditional rulers is the main concern and focus of this study. The question then arises as to whether the agitation is motivated by the traditional rulers' own self-interest, the interests of the people, or the national interest.

In Nigeria and other African nations, the importance of traditional political institutions in general and traditional rulership in particular has continued to spark significant, frequently contentious, and emotional debate. Both scholarly interest and counter-interest have been sparked by this. The argument does not exclude the mass media. As in Europe, where its surviving form (monarchies) is found primarily among the most impoverished nations, chieftaincy is outmoded and ought to be allowed to disappear. In a same vein, SA Ogunyemi and Babafemi Badeja argued that the system of traditional rulership is an ancient artifact. These relics of by gone instruments of oppression which are a constant reminder of uneven social development and sociological disunity in Africa are irrelevant to a society currently subject to the objective laws of capitalism controlled from the western states of capitalism.

The majority of academics have consistently accused the traditional rulers of aiding colonial exploitation through their cooperation with the British colonial overlords, especially through their involvement in the transatlantic slave trade. However, it has been argued that the trade was the dominant global business at the time and was not seen negatively, with significant involvement from key continents such as America, Europe, Asia, and Africa.

Chiefs frequently betray their communities' responsibilities in order to provide their services to the colonial and post-colonial states, which is another skeptical objection that surfaced. Additionally, several academics have strongly challenged the traditional institution's official constitutional provision. Among their reasons are the following: duplicating government efforts, the risk of alienation by the subjects, the issue of bureaucracy resulting from adding another tier of government to the current three tiers of government, and subjecting them to established standards of scrutiny and accountability that may degrade the traditional institution.

According to Abubakar, traditional leaders in modern-day Nigeria have no formal place in the political system or the administration. They should, at most, act as an informal advisory group to federal, state, and local government officials.

For various reasons, some analyses have also opposed giving traditional rulers formal constitutional roles. Some believe that their return to the political thrones would drag them into the mud. Others think that royal factors should focus on carrying out the duties that local traditions have imposed on them because they are incapable of handling the political insults, bickering, prevarications, sabotage, and character assassinations that are common in Nigerian polities.

Wada Nas, the former minister for special duties, firmly stated that traditional rulers should not have a role in the Nigerian constitution. Other political analysts have argued that bringing the royal fathers into politics is like waking up the sleeping dogs, claiming that modern democracy has arrived to stop the dictatorship of a select few, which does not exclude traditional rulers.

Since a hereditary institution is inappropriate for democratic activities, and since traditional authority assumes the lack of democracy. There is a wealth of evidence to the contrary, as various explanations have been offered for the chieftaincy's survival in the face of overwhelming odds, despite the fact that numerous academic works, as previously mentioned, strongly contest the continued existence of traditional institutions in contemporary society.

This belief holds that political and economic development would be more successful when evaluated based on widely shared institutions and cultural values. It has been linked to the incapacity of African states to bring about sustained socio-economic development due to the neglect of traditional institutions and their failure to restore Africa's own history. This is supported by the fact that traditional rulers are always called upon for help anytime policymakers feel inadequate in bringing the public along with them on certain important problems with risky outcomes. It is understandable why the traditional institution has been characterized as the most efficient means of communication between the federal and state administrations and the rural populace.

Other justifications for the survival of traditional institutions include their propensity to serve as the foundation for contemporary governance, supporting the interests of the local populace, acting as a solid philosophical foundation for accountability in governance, and articulate indigenous political values and customs while harmonizing them with contemporary democratic norms.

Summary of the traditional rulers roles in Nigeria local government administrative

In local government administration, traditional leaders have a number of important responsibilities, such as resolving disputes, upholding law and order, promoting development, acting as a liaison between the community and the government, and conserving cultural assets. These positions support social cohesiveness, stability, and efficient local government.

1. Conflict Resolution:

Traditional rulers often act as mediators and arbitrators in disputes within their communities. They leverage their traditional authority and knowledge of local customs to resolve conflicts peacefully and maintain social harmony.

2. Maintaining Law and Order:

They play a crucial role in maintaining peace and order within their communities. This can involve working with local law enforcement, settling minor disputes, and promoting a sense of security.

3. Facilitating Development:

Traditional rulers can be instrumental in mobilizing their communities for development initiatives. They can encourage participation in government programs, advocate for local needs, and assist in the implementation of development projects.

4. Bridging the Gap between Government and Community:

They act as a vital link between the local population and the government, conveying community needs and concerns to relevant authorities and disseminating information from the government to the people.

5. Preserving Cultural Heritage:

Traditional rulers are custodians of their community's culture and traditions. They play a key role in preserving and promoting cultural practices, rituals, and customs, ensuring their continuity for future generations.

The Hurdles of Local Government in Nigeria

Nigerian local government issues have been documented, as we have correctly pointed out. According to Adamolekun (1983) and Orewa (1991), they include poor planning, poor policy implementation, low revenue, corruption and poor administration, a lack of sufficient manpower, a lack of autonomy, a lack of public participation, and intergovernmental conflict. Nigeria's local government history demonstrates the existence of governance issues. The administration has undertaken a number of initiatives to improve the system and boost public involvement. Notwithstanding these explanations, the third level of government has been in the doldrums and doesn't seem to have supported the rationale behind its creation. Why has local government failed in its expectations? How can these problems be addressed and solved? These concerns will be addressed in the remaining part of this paper.

Financial Constraints

Even while local governments may have rich programs to implement, they lack the funding to do so. In many instances, revenue is significantly less than what is needed. Despite an increase in the total amount of funding provided to Nigerian local governments since the early 1990s, their economic and financial profile remains extremely low when compared to the developmental initiatives they are required to carry out. Here, a high rate of mismanagement and misappropriation of these monies is linked to and makes the situation worse. Money intended for certain projects is diverted to the personal wallets of these councils' dishonest officials.

Shortage of Skilled Workers/Personnel

With the exception of a small number in the southern states, local governments in Nigeria are unable to effectively and efficiently carry out their constitutional duties due to a lack of qualified and experienced administrative, technical, and professional staff. Professionals' poor perception of local government, dubious, subjective, and sentimental hiring practices, as well as the threat and fear of layoffs for junior employees, are

some of the reasons given for this, which has upset their psychological equilibrium and impacted their productivity.

Lack of Autonomy

Local government officials in Nigeria are also hampered by needless political meddling from the federal and state governments. Other levels of government have a significant amount of external influence and intrusion into local matters, which is concerning and requires immediate correction. When the elected council officer is unconstitutionally removed by the state governor without any inquiry or investigation into baseless and fraudulent claims, the survival of local government is not assured. Consequently, there is a problem of autonomy and recognition at this level of government. This raises the question of whether local government is actually a ministry under the state government or the third level of government. In actuality, Nigerian local government has no independent financial authority. It is currently regarded as a branch of the state ministry. This problem's intrinsic nature has led to subservience, as local government waits for the state government's next orders before coming up with ideas for, let alone starting, development projects. As a result, local governance has been subject to orders and control. Consequently, appointments to positions that are primarily determined by political party patronage are made with square pegs in round holes.

Laissez-Faire Attitude to Work and Wide-Range of Indiscipline

Workers strongly believe that the third level of government has been labeled the "home of indiscipline." Senior officers are no longer the exception to the rule of little or no duty commitment. Junior employees are particularly careless in their truancy habits, and some may take weekend trips and not bother to report back to work until Tuesday of the following week. Officers now freely sell their wares in offices that have been transformed into marketplaces. The laws governing moral behavior and professional ethics appear to have been neglected, and at worst have devolved into a web too feeble to restrain the workers' heinous actions. The employees exhibit indiscriminate lusty urges. There has been tension in the relationships between superiors and subordinates. Because of the unethical relationship between the supervisor and subordinates, strict directives that are passed down from the top echelon to the bottom are either disregarded or treated with contempt. People view official responsibilities as an extension of their personal free time. The performance of local government has been severely impacted by a laissez-faire attitude at work, which has stopped its efficiency.

Lack of Continuity by Succeeding Governments

The inability of succeeding governments to maintain government programs and projects is one of the issues local governments face across the country. In addition to causing mental and financial waste, this interruption also causes development to regress. Projects are unfortunately carried out in accordance with the self-serving objectives and egotism of the political leadership, working in tandem with senior bureaucrats at the local government level of administration, rather than in accordance with or as requested by the people. There is a shift in priorities.

Problems of Participation and Involvement

Various terms, such as "development from below," "bottom-up approach to development," "popular participation," "bringing government closer to the people," and other

catchphrases, have been used to support grassroots participation for more than a decade (Lawal, 2000:66). We can see from a variety of beliefs that people's participation in Nigerian local government operations is more theoretical and nonfigurative than active and real-world. Without adequately considering the possible requirements and issues of the populace, the local government creates estimations for its income and expenses. Different arguments have been put forward as to the responsibility for non-involvement of people in their own affairs. These include: loss of interest in the projects that do not benefit the chairmen and their cohorts; the belief by the officials that people are ignorant, illiterate and unenlightened; and the lack of political will by the leadership to run an open administration due to their selfish interests coupled with the poverty of socio-political philosophy for change.

Leadership problem:

The politicization of local government and the consequent deployments of thugs and other party loyalists who could not get anything from State and national for want of experience, knowledge, and qualification to local government as their settlement breeds bad leadership poor policy direction and objectives.

Administrative Inefficiency:

Using local government as settlement grounds for the party faithfully with little or no formal education, which aligns with the notion that "you cannot give what you don't have," results in poor administrative and general inefficiency.

Inadequate and Poor Budgetary Allocation:

Coupled with the alienation of the people at the grassroots from the affairs of local government, corruption, and embezzlement of public funds, as well as the effect of section 162 (6), local government has shown malnourished and financially staved for the time being.

Corruption:

In the words of Alex Gboyega (1991), this is the bane of Nigeria's local government funds being embezzled by its officials and diverted to acquiring more wives and multiple boys' and girls' friends. Most of the officials lived in state capital cities and showed up only at the end of the month, among others.

Inadequate public support:

Most local governments do not enjoy the support of their constituents. People are only sometimes willing to pay local taxes and user fees for services the local governments provide. This is not unconnected with the behaviors of the leadership and other officials of the local government, which alienate the people at the grassroots.

Prospects and A Way Forward

In order to consolidate the gains made in local governance over the years and to reposition it for greater performance, there is a need to suggest a way forward and evaluate prospects. Unfortunately, local governments have demonstrated incompetence despite the basic rationale behind their creation: to meet the needs of the people at the grassroots. It is therefore desirable to suggest ways through which local governments can come out from this indolence and doldrum.

First, local government, as a third-tier government, should not be scrapped or changed to local administration; it should be strengthened and democratized instead. Officials of the local government should always be elected and not appointed.

Second, a system for encouraging accountability and openness at all governmental levels must be established. In order to increase Internally Generated Revenue (IGR) and promote self-financial independence, the statutory distribution of local government authorities should be examined both internally and upward. To prevent delays in carrying out council developmental initiatives, it is also important to investigate the timely release of allocations from federation accounts. Additionally, it is recommended that local councils seek methods to draw businesses to their communities in order to boost employment, economic growth, and their revenue streams. To increase the councils' economic and revenue base, it will be essential to fortify the anti-corruption and horizontal accountability mechanisms of the institutions. Civil society organizations, particularly at the local level, should be reoriented and empowered to hold elected officials accountable.

Third, reforming the government's structure at all levels is important. A thorough examination of the 1999 Constitution is necessary for this. For instance, local government is now only an extension of state government due to Section 7 of the 1999 Constitution, which placed local government under state government. Legislative and executive branches ought to demonstrate their political will and dedication to amending the 1999 Constitution, which has drawn criticism from all segments of society. A suitable election system, party and campaign financing, and other matters essential to successful government will be addressed by the Constitutional change.

Fourth, there should be complete authority for local governance. This will enable and ensure its life and give it solutions for the issues mentioned above. Nigerian local government systems have a bright future. These include: easy grassroots governance; prompt project execution without the delays that frequently occur when obtaining state approval; the local government councils' delivery of necessary services to the public; and an understanding of the community's involvement and responsiveness. Generally speaking, there won't be any red tape around the distribution of social service funding. Fifth, public participation in all matters of governance and development should be highly valued by the government. Workers in local councils should be adequately motivated in order to prepare them for the task of service delivery. Workers occupy important positions in the production process in any organization. They are the ones that make things happen because they put life into raw materials and change its form to satisfy human needs.

Lastly, the electorate needs to be made aware of the risks associated with money politics. Instead of jeopardizing their future and the future of future generations, they ought to make an effort to vote for those who have demonstrated their integrity. This study posits that rigorous adherence to these recommendations can elevate local councils from their devalued role as manipulative tools to that of grassroots development and change agents.

Summary of discussion

Although the precise nature of the relationship is complicated and always changing, local government management and the

importance of traditional rulers are linked in Nigeria. Although they are not specifically named in the 1999 constitution, traditional rulers continue to have a considerable sociocultural influence, and local governments make up the third tier of governance. The Sultan of Sokoto, the Ooni of Ife, the Obi of Onitsha, the Tor Tiv, the Shehu of Borno, and the Lamido of Adamawa are the subjects of this study, which also looks at the administrative functions, elections, and organizational structures of local governments and traditional organizations.

Local Government Administration:

➤ **Structure:**

Nigerian local governments are structured with a legislative arm (councillors) and an executive arm (Chairman, Secretary, and Supervisory Councillors). The Chairman is directly elected by the people.

➤ **Elections:**

Local government elections are conducted to select the legislative and executive council members.

➤ **Administration:**

Local governments are responsible for providing essential services and amenities to their respective areas, such as primary education, healthcare, and environmental sanitation.

➤ **Historical Context:**

Local government administration in Nigeria has deep roots in pre-colonial systems, with various ethnic groups developing unique structures.

Traditional Rulership:

➤ **Roles:**

Traditional rulers play vital roles in conflict resolution, maintaining social order, and preserving cultural heritage within their communities.

➤ **Sultan of Sokoto:**

The Sultan is the spiritual leader of Nigerian Muslims and also holds significant political influence, especially in the northern region.

➤ **Oni of Ife:**

As the traditional ruler of the Yoruba people, the Oni is a symbol of unity and cultural significance.

➤ **Obi of Onitsha:**

The Obi holds a prominent position among the Igbo people, representing their traditions and customs.

➤ **Tor Tiv:**

The Tor Tiv is the paramount ruler of the Tiv people, playing a crucial role in their socio-political life.

➤ **Shehu of Borno:**

The Shehu is a powerful traditional ruler with historical and religious significance in Borno State.

➤ **Lamido of Adamawa:**

The Lamido is a traditional ruler in Adamawa State, wielding influence within the Fulani community.

➤ **Challenges:**

Traditional rulers face challenges in adapting to modern governance structures and maintaining their relevance in a rapidly changing society.

Interplay between Local Governments and Traditional Rulers:

➤ **Collaborative Efforts:**

Local governments and traditional rulers often collaborate on development projects and community initiatives.

➤ **Ambiguity and Conflicts:**

The lack of explicit constitutional recognition for traditional rulers can create ambiguity in their roles and sometimes lead to conflicts with elected officials.

➤ **Need for Clarity:**

There is a need for a clear framework that defines the roles and responsibilities of traditional rulers within the local government system to ensure effective governance and community development.

Theoretical Framework

The modernization theory will demonstrate its worth in evaluating Nigeria's local government reforms and the evolving functions of traditional institutions. In general, theories are employed because they offer a set of criteria that a researcher may use to categorize and clarify his variables or observations. Under this system, the people at the grassroots level must be given political responsibility, and the participatory concept has the potential to permeate all tiers of the political system.

Development theory, as advanced by theorists such as Lele (1975), Zamani (2000), Ola (1984), and Adamolekun (1983), served as the basis for the paper. The theories were developed in developing nations in an effort to establish local government as a force for development. For instance, ensuring grassroots development is one of the goals of Nigeria's 1976 local government reforms. Local areas in developing nations continue to be underdeveloped after many years, which is the basis for criticism of the notion. Additionally, the hypothesis is skewed since it ignores the advancement of rural communities. The advantages and the goal of forming local government for the grassroots development of the populace are thereby thwarted. In order to guarantee the growth of the local communities, these theories explained what local government should be. Nonetheless, in industrialized nations, local governments fulfill the objective of these theories since they are established by the local populace to promote local development. They are the results of local residents' determined attempts to establish governments that can act in their best interests. Developing nations cannot say this, particularly Nigeria, where local governments are established by dividing up local areas to suit the interests of the political or military elites who established them. It is impossible to use such local administrations as development agents. The inconsistencies in local government creation in Nigeria from the colonial era to the present make it difficult for the adaptation of the various theories to explain how local government is operated in Nigeria.

W.W. Rostow (1960) proposed the modernization theory of development, which contends that in order for a civilization to advance, it must transition from its pre-modern or traditional stage to the more advanced technology and social organization that

defined advanced societies. Modernization theory also contends that industrialized nations are advanced due to their advanced technologies and comparatively stable political systems. On the other hand, third-world nations, including Nigeria, are underdeveloped due to their archaic technology and fragile political systems. The western, capitalist-oriented theory holds that the reasons behind the underdevelopment of third-world nations are inherent to the societies in which they exist. The western style of development, which includes a rational outlook on life, the spirit of science, sophisticated technology, role specialization, secularism, an individualistic approach to social relations in the pursuit of justice in public affairs, and the establishment of social order within the framework of a modern state, should be adopted by traditional society in order to improve development. According to the modernization theory, local government reforms were required to empower grassroots citizens to respond to community development initiatives and services through their representatives (Mark & Ataire, 2022). to foster initiatives and leadership traits among the populace and to establish ideal conditions for democratic self-government at the local level. To enhance a sense of belonging and security through effective communication between local communities and the three levels of government in Nigeria. To bring government nearer to the people, guarantee reasonably adequate functions, financial resources, and staff for local governments.

Research Methodology

The secondary way of gathering data will be used, which involves extracting pertinent information from books, journals, newspapers, magazines, conference papers, public records, and commentary on radio and television. As a result, an exploratory study design was used. This is because it fulfills the researcher's interest and want to learn more about the topic. As a result, the researcher is able to gather background data about the topic. The 1989 and 1999 constitutions of the third and fourth republics, as well as the local government changes in Nigeria starting in 1976, were the main subjects of this study.

Discussion of Findings

The constitutional provisions and revisions have significant ramifications for local government administration in modern-day Nigeria. In a multiethnic federation, local governance is crucial because it fosters a sense of community among its citizens. It is in charge of local affairs and made to accommodate certain local requirements. When Laski (1975) stated that "we cannot realize the full benefit of democracy unless we begin by admitting that all problems are not central problems, and that all results of problems not central in their incidence require decisions by the populace, and the persons, where and when the incidence is most deeply felt," he supported this viewpoint (Laski 1975 in Tonwe 2012). As might be expected, the constitutional developments and reforms carried out in Nigeria have attempted to capture the essence of local government. However, these attempts leave much to be desired, with many gaps evident. Their implications for a well-functioning local government system will now be explored.

The 1999 constitution's Article 7 gives state governments the authority to pass laws pertaining to "the establishment, structure, composition, and functions" of locally elected, democratic councils. Additionally, the fourth schedule gives municipal government some crucial responsibilities. These clauses are just in place on paper, though. To justify spending money

designated for councils in the Joint Revenue Account, state governments have, in reality, taken over the majority of local government functions. For instance, according to Ubani, "The Lagos State Government used funds taken from the State and Local Government Joint Revenue Account to build parks throughout the state." In Akure, the state capital of Ondo state, the government built a state-of-the-art motor park (2012, p. 1). Actions such as these contradict the provisions of the 1999 constitution, which provides that these projects ought to have been executed by local government.

Similar to the 1979 constitution, the 1999 constitution grants states extensive authority to handle matters pertaining to the structure and organization of local governments. Long-running disagreements between the federal government and the state administration of Lagos are one example of how this provision has been confusing and counterproductive. A power struggle between the federal and state governments over authority at the local level has emerged from local government's constitutional negligence, which has significantly hampered the grassroots democratization movement.

Similar to this, Section 106 of the 1999 constitution stipulates that a post-primary school diploma is the minimal requirement for election as a local government chairperson or council member. A career in local politics has become unappealing due to this low barrier. It is difficult for a political officeholder with little education and little experience in the art of governing to provide effective leadership.

Another issue is that elected members of local government councils frequently have their terms set by the states. According to Wilson (2013, p. 142),

On several occasions, the states of Edo, Imo, Ondo and Rivers truncated the tenure of the democratically elected councils and replaced them with members of the ruling political party in the state, as caretaker committees. In most cases, the state governments decided not to conduct elections for the [local] councils, as in the case of Anambra State which ran a caretaker system for over six years.

This practice is an assault on the principle of popular participation in grassroots democracy.

Additionally, local government's financial independence has been undermined. Direct funding from the Federation Account was suggested by the 1976 local government reform, which was mainly included into the 1979 constitution. The revenue allocation formula assigned a specific percentage of funds to local government. This clause has been broken. According to Oyediran (2001), local governments did not receive the allocations that were routed through state governments. Rather, they were credited to state governments, who then used them to pay back themselves for the money they had spent on behalf of local governments. The Babangida regime made an effort to deal with this issue, according to Abutudu (2011). The state government's function as a middleman in the transfer of monies from the Federation Account to local governments was eliminated by the federal government in 1988. Until 2000, allocations from the Federation Account were collected directly by local governments from the Federal Pay Offices in their respective states. However, this changed when the 1999 constitution introduced the State Joint Local Government Account (SJLGA) (Section 160, sub-sections (2) to (8)), which provides that:

Each state should have a special account, known as the State Joint Local Government Account, into which all state allocations to local government councils from the Federation Account and from the state government will be paid. The amount standing to the credit of local government councils in the Federation Account will be distributed to the states for the benefit of their local government councils on the terms and in the manner that may be prescribed by the National Assembly.

The idea was for local governments to get federal funds through their state governments. However, because of the misappropriation of allocations, these SJLGAs have gained notoriety. With the SJLGA's assistance, numerous state governors were charged with embezzling monies from local governments throughout the first 12 years of democratic governance. For instance, 27 Borno State local governments threatened to go on strike in 2010 over claimed indiscriminate reductions from their monthly allotments. Twenty percent of each local government's allotment was lost (George 2010, p. 1). George adds that Alhaji Aliyu Bala Usman, the Commissioner for Local Governments and Chieftaincy Affairs, and the Nasarawa state government, led by Alhaji Abdullahi Adamu, also:

...allegedly abused the joint account system with reckless abandon by illegally withdrawing over 5 billion in 36 months from the state local government joint account belonging to the 16 local governments in the state. An act which is contrary to section 7 (6) (A) 162 (5), (6) (7) and (8) of the 1999 constitution and the local government laws of Nasarawa state and the joint account laws. This offence, which is contrary and punishable under section 104 of the criminal code act, landed the former governor in the EFCC net. (George 2010, p. 1).

Additionally, it was suspected that some state house of assembly members were "paid" at the end of each month by their respective local governments. Some state parliaments take use of the fact that state houses of assembly have the authority to impose laws on local governments in order to profit. According to Akaeze (2012), a similar incident occurred in Ogun State when former Ijebu East local government area chair Tunde Oladunjoye accused former governor Gbenga Daniel of embezzling local government monies. This is how the case was reported:

N1.7 billion was the total amount allotted to the 20 LGs in Ogun State in November 2009. However, Daniel only gave us N700 million—less than half of what we were owed. To clarify the precise amount of money owed to the teaching and non-teaching staff of the Local Government Education Authority, LGEA, Oladunjoye and a few of his colleagues had already written to Daniel, asking him to "deduct only what is statutory from our allocation." Oladunjoye claims that nothing came of that. For instance, the governor was withholding N39 million from my monthly LGEA bill, which was approximately N28 million. That is an excess of N11 million. I could construct two or three community health centers each month for N11 million. I was upset. Why should state government pay primary schoolteachers on our behalf? Was the federal government paying secondary school teachers on behalf of the state government?' (Akaeze 2012, p. 3).

- Daniel, the former governor, was eventually charged in court with this and other offences by the Economic and Financial Crime Commission (EFCC).
- The SJLGA's provisions are spelled out in detail in the 1999 constitution. The issue is that state governors

arbitrarily use their discretion to decide what local governments are owed.

- LGs have lost their effectiveness as a result of the SJLGA's constitutional restrictions and the manipulation of this account. Even with the limited amount that does reach them, post-budget control places additional limitations on their operations, and local government chairs use a variety of tactics to embezzle money.
- For instance, the house of assembly in Benue State established three subcommittees in 2010 to look into the whereabouts of cash that local governments in the state had received. As a result:
- 12 council chairmen were suspended in the state for alleged fraud. They were asked to refund a total of 150 million naira... The chairmen to go on suspension were those of Logo, Ado, Obi, Apa, Ohimini, Oturpko and Ogbadibo local government. Others were Guma, Gwer West, Ukum, Kwande and Ushongo. (George 2010, p. 2).
- In a similar development, the chairs of Ibaji and Ogori Magongo local governments in Kogi State were suspended over what was described as non-performance and misappropriation of resources.

According to the source:

Neither salary payments nor the execution of any significant projects were made with the 75 million naira statutory budget that the local government got in December 2008. In a similar vein, the local government was not reported to have used the 200 million naira loan or the 380 million naira surplus crude fund wisely. Despite receiving a 500,000 naira travel allowance apiece, it was stated that council members were sponsored to travel to Jerusalem on pilgrimage and were given allowances totaling more than 1 million naira each. (Page 2 of George 2010).

The foreseeable result of local government councils being financially strangled is an ineffective administration that is unable to interact with the public or fulfill its legal obligations, as well as a local populace that lacks responsive local representation.

Not to be overlooked is the impact of the Local Government Service Commission (LGSC), which has further marginalized local government despite not being created under the 1999 constitution. The LGSC is used by state governments to establish local government policy and occasionally to impede local government operations. Furthermore, it has been asserted that inept employees might be assigned to a specific local government in order to thwart the execution of democratically chosen policies (Wilson 2013). Wilson observes the following regarding Delta State:

The LGSC took over political control of the councils where the Heads of Personnel Management (HPMs) were mandated by the LGSC through the Delta State House of Assembly to run the affairs of the councils from May 2011 – November 2012, following the expiration of the tenure of the elected councils in the state in 2011 (Wilson 2013, p. 143).

Local authority has been further weakened by recent political unrest. Three conferences—the 1994/95 Constitutional Conference, the 2005 National Political Reform Conference, and the 2014 National Conference—have been held in the past 20 years to address Nigeria's political and constitutional destiny. One of the main topics that attendees discussed was Nigeria's local government structure. For instance, the 1994 conference

acknowledged local government as a third level of government in Nigeria and voiced grave worries about its rising costs. In order to save money, they suggested eliminating the legislative branch of local government (Constitutional Conference 1994/95). The value of reducing local government expenses is debatable, though, and it is concerning that the costs of the federal and state governments were left out.

The 2005 National Political Reform Conference also reaffirmed the three levels of government in the constitution, but did not address the fractured constitutional arrangements which have rendered local government administration more or less unworkable. The 2014 National Conference had the longest discussions on the local government system. In contrast to earlier conferences, this one gave attendees plenty of chance to talk about a variety of political and constitutional topics, supported by the spirit of democracy and freedom of expression made possible by 15 years of nonstop democratic governance. The conference suggested disbanding the SJLGA and substituting a state Revenue Mobilization, Allocation and Fiscal Commission (RMAFC) with local government representatives and a chair chosen by the state governor, possibly in an attempt to address the financial issue. Nonetheless, it also suggested a federal-state two-tier system of government, allowing states to establish as many local governments as they like (National Conference 2014).

Conclusion

Since Nigeria returned to democracy in 1999, the argument over whether local government management is desirable has gained significant traction. Many people believe that the new framework will help state actors make well-informed policy decisions that support democratic federalism. Although the choice of federalism as a basis to organize the Nigerian country is not a historical accident, this study expresses uncertainty as to whether this is happening. Instead, it is the inevitable result of a political development that began during the colonial era.

Nigeria was conceptualized and developed from the periphery during colonial control, and the Nigerian federation was established through an indirect rule system based on the traditional ethnic administrations. The Nigerian federation has thus developed into what is currently referred to as a three-tier political structure with federal, state, and local levels of government as a result of a number of political and constitutional events.

However, in addition to being undercut, the local governmental units that served as the foundation of modern-day Nigeria are currently facing a serious constitutional attack. Political restructuring has tended to devalue local government administration, with the exception of the 1976 local government reforms, which sought to restore the sanctity of local authority. However, the tenets of grassroots involvement and democratic inclusivity guarantee local government's survival in spite of these attacks. Since LG is still the most effective tool for energizing people for local engagement and disseminating democratic values, it is essential to the democratization process. The authors therefore conclude that, given the status of Nigeria as the largest democracy in Africa and the third largest in the world, a constitutional framework that guarantees the powers and function of local government is essential to give voice to the far-flung parts of the nation.

Recommendations

In the light of issues raised, findings generated and discussed, and the conclusions drawn, the following policy recommendations are suggested:

1. In order to drive the principle of democratic federalism to its logical conclusion and to give constitutional reality to the concept of three-tier federalism, local government should be clearly and unambiguously established in the General Provisions, Chapter I, Part I, sub-section 2 of the 1999 Constitution of the Federal Republic of Nigeria.
 2. Following the above, a chapter on local government as an autonomous unit of the federation should be created in the constitution, analogous to Chapter V, Parts I and II for the federal and state governments respectively. The new chapter should make provisions that ensure the legislative and executive powers and functions of local government councils. These provisions would automatically override the current ambiguous provision in Section 7, which gives state governments the leeway to manipulate local governments, usurp their statutory functions and plunder their resources.
 3. The controversial SJLGA should be removed from the constitution, and replaced by a new regime of fiscal federalism where local government councils would be accountable for funds directly allocated to them.
 4. This new regime of fiscal federalism would evolve measures to instil fiscal discipline among local governments and encourage self-reliance through internally generated revenue. A clear and unambiguous definition of the powers and functions of local government would help local governments improve their revenue base and fund public services without over-reliance on statutory allocations from the Federation Account.
 5. The Local Government Service Commission should be strengthened and accorded constitutional recognition. Given the commission's laudable objectives, such strengthening would support the human resource and staffing development of local governments in Nigeria.
 6. Finally, the minimum qualifications for eligibility to seek election as a local government chairperson should be reviewed. In the light of the complex tasks of local governance and inclusive participation, the authors recommend that in order to stand as a local councillor, candidates should have a National Diploma or above, and at least 15 years of relevant experience. This recommendation is seen as fundamental to developing local leadership skills, which will enable local politicians to achieve national relevance.
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