

Local Government Autonomy and Development of Local Areas

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Abstract: The areas in question in this discussion are those of each LG which are therefore to be found in both the urban and rural sectors, but predominantly in the latter. The issue of interest to this review here is an overview of how LG autonomy has impacted on the development of the locality, in particular the rural localities. Quite some work has been done on the development of the rural areas by the Nigerian LGs. The critical aspects in the local or rural development issue include availability of network of earth or tarred roads, electricity supply, pipe borne water, schools, health centres or cottage hospitals, mass transit system, telecommunication, political development, etc. The literature on LGs' efforts to develop the local areas in Nigeria shows that the respective LGs have been showing varying concerns of development efforts to make positive impact on the lives of the local people. The efforts may have been rather low, but all over the country, LGs have tried in varying degrees to meet the needs and aspirations of their localities in three main approaches. First, some LGs have established Development Area Councils or Committees, so as to take governance closer to the people. Such LGs include Lagos, Yobe, Bauchi (Yobe State, 2003, Bauchi State, 2004). The second approach adopted by some LGs is the appointment of Ward Committees to handle or supervise some development projects which are being executed directly by the LGs or executed by them on behalf of the Federal or State governments. The third approach is the use of community development associations (CDAs) (Akoptor, 1995) or Town Improvement Unions as critical agents in community development even though they have been less utilized (Ikelegbe, 2005). There are also extension workers who are located in the third category. They are used by LGs especially for agricultural purposes. They move within and between ward or village areas educating farmers, advising and assisting them on the application of newly introduced seedlings, the use of insecticides and irrigation farming. Irrigation farming is predominant in many LGs in the Northern States of Nigeria where Fadama farming has been largely successful. That is, taking farming to the local farmers through biotechnology of improved seedlings, insecticides, extension services, irrigation and micro credit schemes. And the LGs have been uncompromising in asking for democratically elected LGs as part of their holistic development efforts. Using any of the approaches, the LGs, subject to the financial, personnel and other resource autonomy granted to them, have been rehabilitating earth roads, culverts, local or community markets, renovating some school buildings and erecting some new ones. They have been establishing some cottage hospitals or health centres, refurbishing pipe borne water structures, sinking or refurbishing bore holes, executing rural electrification projects, providing improved seedlings with respect to yams, cassava in particular, maize, oranges, coconut, tomatoes, rice, millet, etc. They have also been promoting political participation and governance. As already stated, these projects are executed in

different localities having regard to the priorities of the people. The number of projects executed varies from one LG to another. But the literature, some interviews conducted by these writers show that the impact of LGs on the localities is rather sparse or lean and the people of each locality cannot but be full of complaints of inadequacies and dissatisfaction in the development strides of the LGs (Aghayere, 2008; Omoruyi, 1995; Mukoro, 2001; Ikelegbe, 2005).

I. INTRODUCTION

The term local government has been defined in different ways, depending on the orientation and experience of its users. For instance, Awa (1981) sees local government as "a political authority set up by a nation or state as a subordinate authority for the purpose of dispersing or decentralising political power". R. Wraith (1984) also defines local government as "the act of decentralizing power, which may take the form of deconcentration or devolution. Deconcentration involves delegation of authority to field units of the same department and devolution on the other hand refers to a transfer of authority to local government units or special statutory bodies such as school boards for instance. From this perceptive, one can see local government as a lesser power in the national polity. It is an administrative agency through which control and authority relates to the people at the grassroots or periphery. Emezi (1984) on the other hand perceived local government as "system of local administration under local communities that are organized to maintain law and order, provide some limited range of social amenities, and encourage cooperation and participation of inhabitants towards the improvement of their conditions of living. It provides the community with formal organizational framework which enables them to conduct their affairs effectively for the general good". Deriving from the definitions given by Awa, Wraith and Emezi, the definitions have some colonial underpinnings. For instance, Emezi emphasized more on maintenance of law and order and provision of limited range of social services. In essence, the conceptual view of local government is basically a function of space and time factor. For example in colonial time, native administration was primarily established for maintenance of law and order. With the emergence of independence, emphasize shifted from law enforcement to the provision of social services. Whallen (1976) views local government as a given territory and population, an institutional structure for legislative, executive or administrative purposes; a separate legal identity, a range of powers and functions authorized by

delegation from the appropriate central or intermediate legislative and within the ambit of such delegation, autonomy including fiscal autonomy. Gboyega (1987) on the other hand argues that there exists two basic classes of theories of local government. The first class attempts to justify the existence or need for local government on the basis of its being essential to a democratic regime or for practical administrative purposes like responsiveness, accountability and control. While the second class of theories opined that an effective local government system contradicts the purpose of a democratic regime. This position is justified on the ground that local government institutions are neither democratic in their internal operations nor admit a responsiveness, accountability and control. The above position can also be amplified into different schools of thought with emphasizes on the functional responsibilities of local government. According to Ola (1984) these schools of thought include (a) Democratic Participatory School (b) The Efficient-Service School (c) The Developmental School Essentially, the democratic school of thought holds that local government function to bring about democracy and to afford opportunities for political participation to the citizen as well as to educate and socialize him politically. This view point has been corroborated by Keith-Lucas, David Bulfer and William Machenize. The efficiency school argued that what is central and important to local government is not the bringing about of democracy but rather that local government must be judged - by its success in providing services up to a standard measured by a national inspectorate. Jim Sharpe further opined that the efficient performance of these services is so compelling that, if local government did not exist, something else would be created in its place. The developmental school defer from the above two schools of thought over its ethnocentric bias in favour of the developed Western democracies. It argues that from Alex-de-Tocqueville and J.S. Mill to James Bryce and to the contemporary theorists such as James, Sharpe, William Mackenzie and Hugh Whalen there was the emphasis on Western Europe and Northern American. Undoubtedly, the Anglo-American has been the chief advocate of the democratic participatory school. Whereas from the Western Europe side, especially the German School have tended to embrace the efficiency services school, particularly from Rudolf Von-Gueist to Georges Langrod. Therefore, the developmental school really emphasized on how local government in the developing world can be an effective agent of a better life, an improved means of living, socially and economically, and a means to a better share in the national wealth. In sum, the above approaches can be categorized into two. The general and the developmental categories. The major functional items in the general category which sums up the ideas of the democratic participatory and the efficiency-school are, Democratic ideals, political participation, protective services and infrastructural services. Under the developmental category are national integration, social and economic development, and manpower resources development. Arising from this definition, the government itself states the primary

objectives of the local government as follows: (a) To make appropriate services and development activities responsive to local wishes and initiatives by devolving or delegating them to local representatives body; (b) To facilitate the exercise of democratic self-government close to the local government levels of our society, and to encourage initiatives and leadership potential; (c) To mobilize human and material resources through the involvement of members of the public in their local development; (d) To provide a two way channel of communication between local communities and government (both state and federal) (Local Government Reform, 1976). Arising from the guidelines, the primary aim of local government is even far beyond the conceptual views of the above scholars. More importantly is the fact that the 1976 local government reforms, the 1979, 1989, and 1999. Constitutions sort to make local government the bedrock of national politics as implied in the second objectives above. In a much more relevant perceptive, to the present day local government arrangement. H. V. Akpan defines it as "the breaking down of a Country into smaller units or localities for the purpose of administration, in which the inhabitants of the different units or localities concerned play a direct and full part through their elected representatives, who exercises power or undertake functions under the general authority of the national government. The above definition pre-supposes that local government exists in such a place where elections take place as at when due, to enable the people have a direct or indirect participation in the matters that concern them. It also connotes decentralization of power or authority. There appears to be serious areas of departure between this definition and the one contained in the 1976 Local Government Reforms. The above appears more detailed and relevant to the present circumstances, as it sees local government as a representative government. It sorts to make local government autonomous. It advocates the cooperation of the people in their development projects and also stresses the need for local government to be relevant to the needs of the people. Be that as it may, a summation of the definitions above points to the fact that local government involves the conception of a territorial non sovereign community, possessing the legal right and the necessary organization to regulate its own affairs. Local governments are not sovereign unlike independent nation state. Local government per se is a subordinate government, which derives its existence and power from law enacted by a superior government (Awotokun and Adeyemo, 1999).

t that reveals the degree of local government autonomy

II. THE 1991 LOCAL GOVERNMENT REFORMS

The 1991 reforms introduced to the local government the presidential system of government as it used to be at the federal and state levels. The development was regarded as a test tube for the nation's grassroots democracy. The major highlights of the reforms in accordance with the Implementation of the Basic Constitutional and Transitional Provision (Amendment) Decree 1991 are as follows: (1) The

Executive chairman ceases to be a member of the council. (2) Councillors were to form the legislature. (3) Chairman to appoint supervisors from within or outside the council, (but if within the council such a councillor immediately loses his seat). (4) Councillors to elect a leader who will act as council speaker. (5) Council clerk now to head the Personnel Management department. (6) Executive arm of the council to consist of Chairman, Vice-chairman, Secretary and the Supervisors. (7) Council Secretaries now become Chief Executive Officer / Adviser to the Executive arm. Under that arrangement, the local government council which constitutes the Legislative arm was charged with these functions: (8) Law-making, debating and passing local government legislation. (9) Debating, approving and possibly amending local government yearly budgets, subject to the chairman's vote, which could be ever ridden by a two third majority of the councillors. (10) Vetting and monitoring the implementation of projects and programmes in the council's yearly budget. (11) Examining and debating monthly statement of income and expenditure rendered to it by the executive arm. (12) Impeaching the council chairman who has committed an impeachable offence in accordance with the constitution. (13) Advising, consulting and liaising with the chairman who is the head of the executive arm of the local council; and (14) Performing such other functions as may be assigned by the House of Assembly of the state in which it is situated. In the same vein, the executive authority was conferred on the local government Chairman or the Vice-chairman, Secretary and Supervisors or officers in the service of the councils to perform as follows: (a) To function as the Chief Executive and Accounting Officer of the local government provided his role as Accounting Officer shall exclude signing of cheques and vouchers; (b) Assign to any supervisor of the local government responsibility for any business of the local government including the administration of any department of the local government. (c) Hold regular meetings with the vice-chairman and all supervisors for the purpose of: (i) Determining the general directions of the policies of the local government (ii) Co-ordinating the activities of the local government and (iii) General discharging the executive functions of the local government. (d) Set performance target for each local government employees. (e) Observe and comply fully with the checks and balances spelt out in existing guidelines and financial regulations governing receipts and disbursement of public funds and other assets entrusted to his care and shall be liable for any breach thereof; (f) Adhere fully to the Finance Control and Management Act 1959 and its amendment. It is essential to note that other innovations introduced during Babangida Administration's transition programme include, the popular participation and political control of the grassroots, injection of new breed, into the nations body politics, introduction of two grassroots based political parties, creation of more local governments, presidentiasizing the local government and the introduction of open voting system. These changes are conscious attempts to give local governments throughout the

Country some degree of autonomy in achieving the basic objectives of their creation. These objectives are contained in the 1976 guidelines for local governments' reform and further amplified in the fourth schedule of 1979 and 1989 constitutions of the federal republic of Nigeria. We wish to add further that the local government council (legislative arm) can make bye-laws to be assented to by the chairman of the local government. However, after 30 days, if the chairman fails to assent to a bye-law duly passed, by the two third majorities and such a bye-law will then become law even without the assent of the chairman. This is a novel procedure, which introduces a system of checks and balances between local government chairman and the council. The provisions above are geared towards unfettered development and the sustenance of democracy in the third republic. It should also be noted, that these developments brought presidentialism to the grassroots where there exist a clear cut separation of power between the legislative and executive arms of the local government. On this note, we may add that there are various forms of autonomy, ranging from political, legal, fiscal, administrative etc. Politically, to develop local government certain provisional decrees and even the 1989 constitution had already spelt over the means for political changes in local government. Autonomy to popularly elect chairman and councillors is contained in chapter 8 part 1 section 283 - 307 of the 1989 constitution. Financially, the spending limit of local councils had been abolished. As a result, local government would no longer seek approval from the state governments before embarking on any project so far as it is contained in their estimate. Approval of annual estimate or budget is presently done by the local government councils instead of the states department of local government. This presumably will enhance the effective performance and thus prevent the unnecessary delay in the execution of capital projects. The administrative dimension of autonomy of the local councils is given to the chairman to appoint staffers up to G.L.06 whereas the 1976 local government reforms, the 1979 constitution and chapter 8 section 308 of 1989 charged the Local Government Service Commission with the responsibility for employment, posting, promotion, discipline and training of members of staff from G.L.07 and above.

On the other hand, the councils enjoy the social autonomy of providing certain social services to the community for instance the local government has been vested with the responsibility of health services delivery with the transfer of primary health care to the council, thus enhancing grassroots health care delivery system. It is worthwhile to note at this juncture, the salient provisions in the 1999 constitution that relates to the local government autonomy and control. The 1999 constitution provides by section 7(1) thereof, that: "The system of local government by democratically elected local government councils is under this constitution guaranteed; and accordingly, the government of every state shall, subject to section 8 of this constitution, ensure their existence under a law which provides for the establishment, structure, composition and finances of such councils". With this

provision, the 1999 constitution has made local governments a creation of the state government. Other provisions that justify the control of local councils by the state governments have to do with the creation of new local government areas and Boundary adjustments. According to section 8(3)(4) of the 1999 constitution provides as thus: (3) A bill for a Law of a House of Assembly for the purpose of creating a new local government area shall only be passed if (a) a request supported by at least two-thirds majority of members (representing the area demanding the creation of the new local government area in each of the following, namely (i) the House of Assembly in respect of the area, and (ii) the local government councils in respect of the area, is received by the House of Assembly; (b) a proposal for the creation of the local government area is thereafter approved in a referendum by at least two-thirds majority of the people of the local government area where the demand for the proposed local government area originated; (c) the result of the referendum is then approved by a simple majority of the members in each local government council in a majority of all the local government councils in the state; and a resolution passed by two-thirds majority of members of the House of Assembly. (4) A bill for a Law of a House of Assembly for the purpose of boundary adjustment of any existing local government area shall only be passed if: (a) a request for the boundary adjustment is supported by two-thirds majority of members (representing the area demanding and the area affected by the boundary adjustment) in each of the following, namely: (i) the House of Assembly in respect of the area, and (ii) the local government council in respect of the area, is received by the House of Assembly; and (b) a proposal for the boundary adjustment is approved by a simple majority of members of the House of Assembly in respect of the area concerned. It is assumed that these provisions will prevent the manipulations of local government boundaries and the unwarranted proliferation of local government areas for purely partisan political reasons. This tendency undoubtedly undermined the democratic process at the local government level in the defunct Second Republic.

III. FEDERAL AND STATE GOVERNMENT CONTROL ON LOCAL GOVERNMENT COUNCILS IN NIGERIA

The attempt made by the colonial power to reform Local government system in Nigeria was almost destroyed by the first leaders of independence in 1960-1966. The event of the first military coup that took place in 1966 further dumped some early hope of development that took place during the colonial period. All local government councils were abolished and sole administrators were appointed. This laid down the basis for interference in the conduct of local government affairs by military and civilian Governors to date. However, the major reform of local government system in Nigeria was carried out under a military regime in 1976. It was followed by the 1979 constitutional development reforms. On the civilian government, the events that took place from 1998 onwards clearly explained the influence and self-imposed

discretion on local government by the federal and state government. The issue of control on local government, such as tenure of office, the power to create local government, and allocations for its effectiveness becomes a major issue between federal and state authorities. For instance, the law provides for 3 years' tenure in office (The Basic Constitutional and Transitional Provisions Decree No. 36 of 1998).

The local government officials requested for four year tenure like other tiers of government. Though, the National Assembly extended the tenure of local government officials by legislation, the Supreme Court quashed the legislative authority and held that, no law by the National Assembly can increase or alter the tenure of elected officers of local government. In other word, the legislation has no statutory obligations to extend local authority's tenure. Interestingly, state creations in Nigeria were all done during military regimes, from 3 regions during the colonial era to 36 and the federal capital territory of Abuja in 1996, while LGs increased from 301 in 1976 to 774 in 1996.

The creation of the state was a response to the issue of minority agitations. Ironically, instead of resolving minority issues, it further aggravated it. Regardless of guideline provided in the 1976 constitution on the population of LG, federal and state government created many non- viable LGs that do away from the constitutional provisions. As at 2007, the number of LGs below 100,000 is 105 equivalent to 13.57%, while those LGs that are below 150,000 are 242 represents 31.27%

Importantly, The State governments seize the opportunity of fledgling democracy to disregard the elective representative principle and constitutionally guaranteed existence of Local Governments. At the least opportunity, for example, in 1980, 2002 and 2007, Local Governments have either been scrapped by higher level governments or had their democratic elections delayed. In their place, all manners of bodies such as development Committees, Sole Administrators and Caretaker Committees had been set up. Such policy reversal situations have had implications for the development of the localities, including loyalties to the State governments by the appointed functionaries, alienation of the people from unrepresentative governance, and diminutive development of the localities. Of course, all of the above smack of corruption, which is a big challenge of Local Governments in Rivers State. The literature is replete with screaming headlines about alarming corruption in the State Local Government system (See, e.g., Newswatch Magazine, 2001; Vanguard Newspaper, 2007). They carry headlines of massive corruption and quizzing of Local Government functionaries by the respective anti-corruption bodies in the country. But very unfortunately, the Local Government corruption is the type that the World Bank (2001: xiii) has called 'grand corruption'. It does not cohabit with development.

The definition of local government (LG) by the Nigerian federal government leaves one with no iota of doubt that it is largely both theoretically sound and service oriented to the people. It talks of representative councils with substantial control over local affairs, for the provision of services and implementation of projects in their areas, to complement the activities of both the state and federal governments. Nigeria (1976) also amply recognizes the need for local government autonomy as the substantial control of local governments is aimed at staff, institutional and financial matters, among others.

However, there are a number of studies which have been useful in terms of problematizing as well as setting the theoretical pedestal of the present study. Two sets of literature have been considered here. The first is the literature that deals with the conception of local government system in Nigeria and the desirability of local government. The other set of literature revolves around the autonomy of local government in Nigeria. This has posed a lot of problems and agitated the minds of many scholars and political leaders.

Agagu (1997) conceptualized local government as involving a philosophical commitment to democratic participation in the governing process at the grassroots level. This implies legal and administrative decentralization of authority, power and personnel by a higher level of government to a community with a will of its own, performing specific functions as within the wider national framework. It is a government at the grassroots level of administration 'meant for meeting peculiar grassroots need of the people. In the view of Appadorai (1975) local government is defined as government by the popularly elected bodies charged with administrative and executive duties in matters concerning the inhabitants of a particular district or place. Looking at the existence, performance and relevance of local government, Laski (1982) opines that we cannot realize the full benefit of democratic government unless we begin by the admission that all problems are not central problem, and that the result of problems not central in their incidence requires decision at the place, and by the person, where and whom the incidence is most deeply felt.

According to Lawal (2000) local government can also be defined as that tier of government closest to the people, "which is vested with certain powers to exercise control over the affairs of people in its domain. A local government is expected to play the role of promoting the democratic ideals of a society and coordinating development in the locality. Nwankwo (1992) defined local government as "government set up by a control authority or state government as means of ensuring effective administration at the grassroots". According to Anydike(2011),local government ,like other concept in social sciences does not have not have one definition that is acceptable to all. This is because there are various definitions of this concept given by different authors. However, Okoli (2005), defined local government as a unit of government established by Act of law to administer the

functions of government and see to the welfare and interest of the local dwellers under the local system. According to him, government at this level guarantees a situation in which the local people can elect their representatives, who can make decisions on matters relating to the interest of many people who make rules and policies governing their local affairs, and be able to raise revenues from both internal and external sources in their local areas of jurisdiction. Local government, according to Bello-Imam(1996), is that system of political decentralization within Nigeria in which the power base of the decision-makers is ,to a great extent, not national but local.

In an appropriate reflection on the matter, the United Nations office of public administration cited in Ozor (2004) says "local government is a political subdivision of a nation of (in a federal system) state, which is constituted by I am and has substantial control of local affairs including the powers to impose taxes or to extract labour for prescribed purposes. The governing body of such an entity is elected. A further analysis provided by the 1976 local government reform defines local government as "government at local level exercised through representative council established by law to exercise specific powers within defined areas. These powers should give the council substantial control over local affairs as well as the staff 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 governments in their areas, and to ensure, through devolution of these functions to these councils and through the active participation of the people and their traditional institutions, that local initiative and response to local needs and conditions are maximized.

Local government, as seen by Awa (1981), is a political authority set up by a nation or state as a subordinate authority for the purpose of dispersing or decentralizing political power. And Emezi (1984), in a broader definition, sees local government as system of local administration under local communities that are organized to maintain law and order, provide some limited range of social amenities and encourage cooperation and participation of inhabitants towards the improvement of their conditions of living. If provides the community with formal organizational framework which enables them to conduct their affairs effectively for the general good.

This definition is in congruence with the local government theory of welfare state, that the efficiency value of local authorities is the strongest in favour of modern local government. However, Hill (1974) is of the opinion that if services, it must be more than efficient, and it runs a risk if it neglects the involvement of the public in a meaningful way, reason being that the local government will still be judged by that justice, fairness, equality and openness by which democratic society as a whole is judged. Bearing in mind the above definitions, Izueke (2010) opines that, the ideal local government is a government that promotes equity, accountability, efficiency, providing an enabling environment

for human development and eradication of human deprivation. The meaningful participation of the people in decision making in local government development activities should be a paramount idea of establishing a local government.

Orewa and Adewumi (1992) defined local government as a system of government in which local communities and towns are organized to maintain law and order, provide some limited range of social services in co-operation with the inhabitants in joint endeavour towards the improvement of their conditions of living. From the above definition, Okwueze (2010) discerned that local government is a political sub-division of a nation or a state and it exists within a geographical and political territory which has well defined borders or boundaries. It is also a government just like any other government and it has the authority levy and collect certain local taxes from citizens living within its territory.

Onah (2002) asserts that local government is a form of devolution of the political powers of the state. It is the government at grassroots, which is designed to serve as an instrument for rural development. In a similar direction Ogunna (1996) defined local government as a political authority which is purposely created by law or constitution for local communities by which they manage their local communities by which they manage their local public affairs with the limits of the law/constitution.

There are five main implications of the definition. First, local government is a political authority, which implies that it is a level of government vested with legislative and executive powers to make and execute laws and policies. Secondly, it is created by law or constitution which defines its structure, functions and powers, sources of revenue, composition of the local government and so on. Generally, local government in federal states is the preserve of the constituent units of the federation (states regional, province, and cantons). This is the situation in federal states like Canada, Germany, the United States of America, India, Australia and Nigeria before the Babangida regime. In such a case, it is created by the law of the constituent unit of the federation. It is regarded as a creative of the state government in federal system or of the central government in a unitary system. However, in Nigeria, with the constitution of the federal republic of Nigeria 1979, local government has attained a higher status in which it is now created by the constitution and not by the law of the state.

The third implication of the definition is that, as it is created at the local level it is the government which is nearest to the people. As such, it feels, the greatest impact of the needs and problems of the people. Fourthly, it is a government by which the local people manage their affairs. The fifth implication is that a local government operates within the law of the constitution, which creates it. The law should define the specific areas and powers within which the local government should operate. However, the powers should be substantial and adequate for it to be a government. Accordingly, the guidelines states that these powers should give the council

substantial control over local affairs as well as the staff and institution and financial powers to implement projects. It is important to note that the definition of local government as given by the status of local government reform conform with the new status of local government in Nigeria as a “third tier of government of the federation” as provided by that reform.

This definition captures the essential characteristics in local government that we are interested in, in this research. These include elective representation, legally or constitutionally recognized functions and adequate powers over personnel and finances, subject to the environment of autonomy that is conceptualized below.

Okoli (1995) is of the view that the operationalization and concretization of autonomy for local government administration poses enormous challenges no matter the system of government, whether presidential or parliamentary. In other words, no matter the outcome of the current constitutional conference, no matter the type or system of government recommended, and finally adopted by Nigerians, the problem of autonomy for local governments as third tier of government will continue to near its ugly and unpredictable head. This is so, precisely because of the nature and content of autonomy. According to Mills (1975) the concept of autonomy in political theory has its roots in the liberal conception of democracy (government by the people) at the grassroots level. According to this conception power belongs to the people (popular sovereignty) and those who exercise power do so on behalf of the people (consent of the government). The nexus between the operationalization of the concept of popular sovereignty” and the realization of the “consent of the governed” Langrod (1953) is found in the concept of autonomy. In this context, therefore, autonomy implies the various levels and types of area dispersion of powers.

Kpakol (2005) observed that, there is a misinterpretation as to what the term “autonomy” connotes, despite its regular usage, yet the real understanding of the term leaves much to be desired. The numerous scholars and government, functionaries who used the term assumed that their audience understands the concept. Further, government decisions to preserve or extend local government autonomy were not achieved because the full meaning of the term “autonomy” has not been fully explained.

In view of the conflicting conceptual interpretations, the term local government autonomy is perceived as local self-government or grassroots democracy”. This grassroots democracy is primarily aimed at giving the vast majority of the people the fullest opportunity to participate in determining their own destiny. But it is obvious that we cannot have complete autonomy or complete local self-government within sovereign states. If local governments were completely autonomous they would be sovereign states.

Nwabueze (1983) defines the autonomy under a federal system to mean that “each government enjoys a separate

existence and independence from the control of other governments". It is an autonomy which requires not just the legal and physical existence of an apparatus of government like a legislative assembly, governor, count etc, but that each government must exist not as an appendage of another government but as autonomous entity in the sense of being able to exercise its own will in the conduct of its affairs free from direction of another government. According to Nwabueze, autonomy is not constitutionally bound to accept dictation or directive from another.

The argument here is that, the local government autonomy we have in mind is the one that is adequate, not absolute, for the local government councils to perform their responsibilities optimally. Two types of autonomy appear to have been canvassed in the literature absolute and adequate/ relative. Chaturvedi (2006) represents the absolutist school as he states that in local autonomy, the local body has financial and management autonomy to decide and determine its own course of action. There is no rider whatsoever, Mawhood (1993) straddles both schools because he insists that there is relative separation of central and local spheres of government on the one hand. On the other hand, he says that the central government should only monitor the activities of local authorities without intruding into their domain.

For these writers, autonomy for the local governments in Nigeria, as indeed in all the emerging or less developed countries (LDCs) of the world, should be relative, not absolute. The reasons for this, is that there is in fact one territory that is being developed by all the three tiers of government in, for example, Brazil and Nigeria. The resources for development in the less developed country's are very scarce and should therefore be cooperatively managed for optimality, in the interest of the localities. Indeed, it has been gradually recognized that politics, administration cooperation in the less developed countries, for example, Nigeria, appears to be healthier than the dichotomy which Wilson (1889) had stressed. And it has also been gradually agreed that, competitive and cooperative intergovernmental relations (IGRs) in the LDCs, for example, Nigeria and Brazil, seem healthier than Wheare's (1946) absolute separation of responsibilities and powers. This means that the atmosphere of cooperative competition denoted by adequate autonomy is healthier than the one of conflictual competition represented by absolute autonomy.

Imhanlahimi and Ikeanyibe (2009) assert that local government autonomy in the less developed countries (LDCs), Nigeria inclusive, should obtain to enable them perform their functions optimally in the people's interests. It is freedom to the local governments to exercise authority within the countries of the law or constitution. This is to enable them to discharge legally or constitutionally assigned responsibilities satisfactorily, but without undue interference or restraint from within or higher authority. This definition argues for adequate autonomy for local governments within the law for the purpose of performance, which actually

guarantees it. Without performance, which actually guarantees it? Without performance, the law or constitution may not be able to guarantee even adequate autonomy for local governments as the people yearn for development. Autonomy operated within a democracy must be limited as indeed democracy limits the use of power.

However, the autonomy of local government in African countries such as Nigeria is more in theory than in practice. As Olowu (1988) succinctly puts it:

Most governments in Africa have opted for the direct control by governments through a battery of legal, financial and administrative units of the central governments or, worse still, exist as parallel institutions to the government's field administration, controlled by both the central and field units.

The heavy dependence of local government in Nigeria, for instance, on statutory allocation from the federal government whittle down the autonomy of the form. It puts local government at the mercy of the federal government.

Further, successive Nigeria governments (both state and federal) have interfered in the actual functioning of the local government. For instance, between 2007 and 2012 local government councils in Imo state were abolished and the administration of their affairs of the local government was placed entirely on the sole administrators. Ezigbo (2012) recently reported that Governor Rochas Okorocha had in his maiden broadcast in June 2011, announced the sacking of elected council chairmen, and later appointed transitional committee chairmen to run the 27 council areas in the state. But the council chairmen challenged their removal from office in an Owerri High court, arguing that the governor had no constitutional power to sack them. Consequently, the court, presided over by the chief Judge of the state, Justice Benjamin Njemanze, held that the governor lacked the powers to remove the chairmen from office. Also the court, presided over by Justice Uwani Abbaji held that the governor lacked the power to sack elected governments at the third tier of government. The court also nullified the appointment of transition committee chairmen by the governor to replace the sacked council chairmen. This led the National president of ALGON, Ozo Nwabueze Okafor in a communiqué, that the chairmen will fight for the financial and administrative autonomy of the local councils.

In a similar development Anyanwu (2012) reports that the government of Imo state recently introduced another tier of government at the autonomous community level. This so-called fourth tier government according to Governor Okorocha, is expected to assist in the performance of government functions at the grassroots rural community levels of the state. It is perhaps for this reason that it is also known as the community government council (CGC). The concept of fourth tier government may be easily understood, in its simplest form, as a sub-arm of government that brings dividends of democracy of the government in power to the

grassroots through the use of a community governing council. Under this arrangement, traditional ruler, town union executives of the autonomous community, other appointed and elected indigenes are to be empowered as the CGC to participate in governance.

As a citizen of this state, it is expedient for me to contribute to discussions on this burning issue of the moment by examining the problems and prospects of application of this policy to the socio-economic and political development of Imo state. The stipulation of a political role for traditional rulers as head of the fourth tier government is worthy of consideration.

The obvious implication is the politicization of our traditional institution, thereby reducing our royal fathers to errand fathers of any government in power. Undoubtedly this will conflict with their traditional functions. Generally, they are the custodians of culture, norm and traditions of their people. In fact, they are expected to operate as the standard bearers of their autonomous community's value system. It is therefore counter productive to not only add political roles to them but also make them political leaders of their communities. Besides, Nigeria is a republic and to that referendum on the role of their royal fathers in a republican political space. It should not be smuggled through the back door. It is doubtful it an appointed autonomous community head of government can be held accountable by the people and possibly be removed for non-performance through the ballot box. This is the crux of the matter with royal father as appointed head of government.

Their mode of emergence dictates trait each group deployed significantly varying degrees of efforts and resources to be in the government. Following the 1999 constitution of the federal republic, the three tiers of government have the rights to generate income and spend same in the process of undertaking their assignments and functions. Another implication is that since autonomous community is a sub-set of the local government (the third tier), it cannot raise income and spend same without base for maintenance and execution of the duties of fourth tier government must come from the state government. The state government also illegally controls their funding but inadequately funding them as well. Fiscal autonomy and capacity are very crucial in effective administration of expenditure responsibilities of any government. The extant laws must be amended to enable CGC exercise substantial control of their local affairs including the powers to impose taxes, mobilize local resources and execute policies relating to agriculture, cottage industries, infrastructural development, etc. Government must be free from the asphyxiating strangle hold of its political, administrative and fiscal responsibilities. This is the plight of our local government since the current democratic dispensation. Since the same actors are still on stage, the fourth tier government is speculated to have similar fate awaiting it. The continuity of the fourth tier government after the state government in power that introduced it is also a veritable source of concern.

This master-servant relationship became a recurring issue. According to Nwokedi (2009) by May 29, 2002, however, the various states in the federation had applied different solutions of solving the bottlenecks of replacing the out-going local government officials. Nwokedi, op cit p. 155 posit that, while state like Kwara, Gombe, Osun, Lagos, Ogun and Sokoto amongst others immediately appointed caretaker/transition committees to oversee the affairs of the local councils, states like Plateau, Adamawa and Ebonyi directed the most senior civil servants I the service of the councils to administer them.

Moreover, Nwokedi (2009) further observed that states like Akwa-Ibom, Enugu and Lagos are the only states that have elected chairmen. In Zamfara State, code administrators were appointed to run the councils. Governor Ahmed Sani said that the decision was in consonance with the states local government Amendment law No. 1 of 2002. He said that the law empowered the state government to provide interim administration for the local government areas in the state.

The above few examples indicate that local government has not advanced appreciably towards becoming an autonomous third tier of government in Nigeria.

Mutolu (2008) opine that it is pertinent to note that no level of government is fully autonomous. There is what is called inter-governmental relations or independent. What is required is no complete independence for local government, but a degree of autonomy as evidenced by fiscal and administrative, independence subject only to requirements of state law and supervision.

It is assumed that these provisions will prevent the manipulations of local government boundaries and the unwanted proliferation of local government level. Even the local governments in Imo state are yet to enjoy this autonomy.

In essence, when one talks of local government autonomy in Nigerian's polity, we refer to the relative independence of local government control by the state and federal government. By subjecting local government to the watchful eye of the state government in virtually all aspects of its activities, local government cannot be said to be enjoying any autonomy. Autonomy exists only if local government enjoys a reasonable degree of independence in administrative and fiscal matters.

Therefore, it is the nature and structure of transactions or interactions between the three levels of government that reveals the degree of local government autonomy in Nigeria.

A national commission which would be vested with the responsibility of monitoring federal, states and local governments relation should be set up. This is to ensure meaningful interaction with particular reference to functions relating to finance and local government structure so as to evolve and create opportunities for a meaningful and virile third tier government. 4. The section 7 of the 1999 constitution that places local government under state government has made the former to be a mere appendage to

the latter. The implication of this is that, intermittent reforms and undue interference do not make local councils stable tier of government. The fear of uncertainty could cause apathy and inconsistency in policy and ideologies. It is however appropriate to suggest that the national assembly should be the creating authority of local government as this will rightly place local government as the third tier of government with full direction and control over their respective localities.