



LOCAL GOVERNMENT ADMINISTRATION IN NIGERIA: LESSONS FROM COMPARATIVE ANALYSIS

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Abstract

The predicament of governance at the local level has been a recurring decimal in the political history of Nigeria. Efforts have been made to democratize local government and make it more responsible and efficient to development needs in line with their counterpart elsewhere. It is against this background that the paper examines local government administration in Nigeria with views to promote comparative perspective of local government system in countries such as, U.S.A., South Africa and Ghana and to draw lesson for Nigeria local government system therefore the paper adopts secondary data. The paper reveals that there is a remarkable difference between local government system in Nigeria and their counterpart in other countries in term of operation and democratic governance. Although there are no complete self-reliance in these countries local government because of their greater sources of revenue are derived from the central and state government. The paper concludes that Nigeria has a lot to learn or gain from the system of governance of local government administration in the developed world such as U.S.A. It therefore recommends among others that for sustainability self-reliance and good governance in local government in Nigeria, Fiscal autonomy should be granted so as to enable the local government to function effectively and efficiently.

Keywords: Good Governance, Efficiency, Effectively, Democratic, Counterpart

Introduction

Local government administration globally has come of age, primarily because of its longevity, resilience and significance of its impact in the administrations of both developed and developing countries (Igbokwe–Ibeto, 2003). However, its efficiency and effectiveness is not so much impressive in developing countries such as Nigeria, Ghana, Gambia etc. In a country where federal system of government is being practiced, firmly maintained and implemented in the constitutional provisions of their local governments system and as specified within the domain of the states, such countries includes USA, South Africa, Nigeria just to mention but a few. The detailed provisions of their constitutions, listing powers and functions (including taxing powers) remain only a vehicle of determination to the local government powers, functions and funds which is the prerogative of the states. In a country like India the two amendments of 1993

acts provide a broad framework in which the states must operate and function but leave to the discretion of the states which of the long list of functions panchayats or municipalities may exercise. Likewise, the Nigerian constitutional provisions are not directly operative but must be mediated by state law (Fatile&Adejuwon, 2014).

The process of achieving local government that would have engendered effective and efficient service delivery was not visibly seen in Nigeria, from the pre Colonia era to the 1975 local government reform (Adedokun, 2012). As a result of several attempt to bring about efficiency in local governmentadministration and the subsequent local government reforms(degree of 1989, 1990 & 1992) have all intended to operationalize the third tier status of in Nigeria, therefore, granting a high degree of autonomy as well as increase in their revenue allocation (Akhape, Fatile & Igbokwe-Ibeto, 2012).

The creation of local government in many countries stems from the need to facilitate development at the grassroots and to decongest the functions and burden of central government, to bring about democratic climate of opinion, to provide valuable political education, to provide two-way communication, to ensure even and rapid development (provide basic socio-economic services), to serve as a hedge against over-concentration of power; to maintain law, and order etc. (Ntiwunka, 2011). It is usually created by a law to the central government in a unitary system, and the law of the state in a federal system of government. Through the local government, the work of the government is decentralized on a territorial basis thereby making it possible for the inhabitants of local communities to take part in the management of their local affairs (Oyediran, 1988; Abba, 2008).

There have been concerted and sustained arguments that the 774 local government areas in Nigeria are contributing too little to national development. Overtime, many of our local councils seem not to bother about the statutory responsibilities as contained in the fourth schedule of the (1999, constitution). Although, this is contrary to what happens in the developed countries like United States of America where they build and maintain roads, creates jobs and bring government closer to the people (Fatile & Adejuwon, 2014). The Nigerian local government system has changed from being an organ of bringing government and dividends of democracy closer to the people at grassroots, an organ for compensating political acolytes of the ruling parties in the states. This has created serious problem and has continually hampered good governance and development at the grassroots level. Thus, there is the need to curtail this situation so that local government can fulfill the purpose for which it was established.

Methodology

Qualitative research design was adopted to gain an insight into the paper and analysis of current literature which enhances critical and contextual analysis of nature and character of local government administration in Nigeria. Multiple secondary sources such as textbooks, journal articles, internet materials, conference paper etc.were used to improve on the reliability and validity so as to minimize errors. These were analyzed based on their content and empirical reviews to identify the gaps that this study sought to covered.

To address the fundamental issues raised and for ease of analysis, the chapter is structured into six sections. The first section introduction which includes statement of problem and methodology, second section is conceptual and theoretical issues, the section three, overview of local government administration in Nigeria, the section four, comparative analysis of USA, South Africa, Ghana And Nigeria, section five, lesson and viable option for Nigeria, while the sixth section proffered solution within the context of the identified challenges.

Conceptual and Theoretical Issues

Local government has been conceived in different ways by various scholars such as Fatile (2011), Akhape et al. 2012). The United Nations Division of Public Administrationdefined local governmentas‘a political division of a nation (or in a federal system, a state) which is

constituted by law and has substantial control of local affairs, including the powers to impose taxes or exact labour for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected (Adedokun, 2012). Each unit of local government in any system is assumed to possess the following characteristics, a given territory and population, an institutional structure, a separate legal identity, a range of powers and functions authorized by delegation from the appropriate central or intermediate legislature and lastly within the ambit of such delegation, autonomy subject always to the test of reasonableness. (Fatile & Adejuwon, 2014).

Local administration is the administration of local communities essentially by means of local agents appointed by and responsible to the central government, But local councils, is also government in which popular participation both in the choice of decision makers and in the decision-making process is conducted by local bodies while recognizing the supremacy of the central government is able and willing to accept responsibility for its decisions (Osakede & Ijimakinwa, 2014).

Ojo (2009) sees local government as the elements which precipitation the establishment of local councils as the third tier of government, Citizen's participation in the management of local affairs, Efficient and equitable provision of essential service, Resource mobilization for development purpose. He further explained that local government is a cooperate body which can sue and be sued. Thus, it has its own independent legal existence. Local governments are distinguished from other social institution due to judicial or legislative powers to make bye-laws and regulations (Igbokwe-Ibeto, 2003). It does not make substantial law but bye-laws and regulation under the power derived from the constitution.

Adedokun (2012), opined the local government as a political authority which is purposely created by law or constitution for local communities by which they manage their local public affairs within the limits. Osakade & Ijimakinwa (2014) asserts that local government involves the conception of territorial, non-sovereign community possessing the legal right and the necessary organization to regulate its own local administration. This is in turn presupposes the existence of a local authority with power to act independently of external control as well as the participation of the local community in the administration of its own affairs.

Afegbua (2011) sees local government as the lowest unit of administration to whose laws and regulation, the communities who live in a defined geographical area and with common social and political ties are subject. From the above definitions, we can infer that local government is the lower level of government in a modern state, that it is legally distinct, and has powers to raise revenue and undertake assigned responsibilities under a leadership that is elected and answerable to the local community. It can also be asserted that local government exercises power that is decentralized in the form of devolution (Fatile, 2011).

Even though, local government may be seen generally as a legally constituted body for development at the grassroots level, there are different types of local government based on their geographical locations. Thus, we have the traditional, the English, the French and the communist types (Bamgbose, 2011).

Functional Theory: Indicates democratic governance which was propounded by Gabriel Almond. According to Anifowose and Enemuoh (1999), taking Easton's analysis as a starting point, Almond looks for the functions which he included among the input acid output functions of 'all political systems. On input, Almond clearly stated the functions of rule-making rule, rule application and rule adjudication. Since every system ensures it maintenance and sustainability, it becomes imperative that, there should be system maintenance and adaptive, functions through political socialization and recruitment of people to ensure the effective institution of democracy and good governance. A functional democracy would necessarily ensure good governance and nation building capacity. The Critics of Almond have contended that the system cannot distinguish between the deliberate aims of participants and what takes

place. Functional theory would be adopted because it has been recognized as a major existing tool for genuine comparative analysis of political systems.

Overview of Local Government Administration in Nigeria

Local government administration in Nigeria had always been in existence since time immemorial among the various people even before the colonial era set the administration of Nigeria (Awofeso, 2004:14). The history of local government system in Nigeria is older than the advent of the erstwhile colonial masters (Fatile & Adejuwon, 2014). Colonialism, however, assisted to widen the course of history of Nigerian administration systems as it contributed significantly to the origin of modern local Administration in the country (Fatile, 2011). There had been traditional local administration in Nigeria before the advent of the British system of local administration. Prior to Colonial era, there were in existence in most Africa enclaves, local administrative machineries founded upon traditional institutions (Agbakoba and Ogbonna, 2004). In Nigeria today, the existing tribes that make up the geographical areas had already had one form of local administration of governance (Osakede & Ijimakinwa, 2015).

In the Northern part of Nigeria, the Hausa/Fulani practiced a highly centralized form of government with the Emir at the head as both the political and religious leader (Fatile, 2011). The Emir, however, delegated his power to District heads (the Magajis) to oversee the districts that made up the emirates. OIa and Tonwe (2003) noted that the Hausa emirates had developed a well-organized fiscal system, a definite code of land tenure, a regular scheme of local rule through appointed district and village heads, as well as trained judiciary which administered the Islamic laws.

In the South West zone of Nigeria where Yoruba is the principal ethnic group, the unit of administration in the various communities centered on the chiefs. Organizationally, the hierarchical structure of the Yoruba pre-colonial political system was based on, the Oba and his Senior Chiefs were collectively responsible for major decisions and administration to the centre, the headquarters or the empire's capital (Oyeweso, 2004)

The Igbos are the major ethnic group in the Eastern part of Nigeria. And as Awofeso (2004:130) has noted, that the Igbo pre-colonial political system has been described as acephalous, republican, fragmented and segmented. There was no sort of central authority, what they had was a diffusion of political authority into different groups (Fatile & Adejuwon, 2014).

The local government administrative system during the colonial era started with the introduction of indirect rule by Lord Lugard. Ola and Tonwe (2003) asserted that the idea behind the introduction of indirect rule was to preserve the authority of the local rulers, local institutions, traditions and habits rather than attempt to impose totally new and unfamiliar ideas from outside.

The Local Government ordinance of 1950 democratized Native Administration in the sense that about eight percent of the Councilors were elected in the Eastern Region. The law took effect in the West in 1952. The structure of Local Government differed in both regions. The Eastern and Western regions had a three tier local government system-the county district and local council in the East fashioned after the British system of Local Government (the County Council was abolished in 1958), and Divisional, District and Local in the West. Both the regions discarded the concept of native authority (Fatile & Adejuwon, 2014). In the North, the Native Authority Law of 1954 merely consolidated the native authority and the native and emirate councils were in place (Abba, 2008).

The local government administration under the military was greatly influenced by the military orientation and socialization which formed hierarchical order and centralization of authority (Awofeso, 2004). The military abolished all Local Councils and appointed Sole Administrators. Between 1966 and 1976, local governments in Nigeria went through various reforms at both regional and state levels but the 1976 reform was the major one. The reform introduced the single-tier local government system throughout the country and established 301

local governments based on a given population range of 150,000 and 800,000 with equal status and powers (Abba, 2008; Igbuzor, 2007).

Comparative Analysis of Selected Countries: U.S.A, South Africa, Ghana and Nigeria

A comparative study of Local Government of other countries is very important to the existence of any given state because it helps the state to evaluate itself and improve on what it has, in terms of structure, functions and operations. The goal of comparative analysis is to encompass the major political similarities and differences between countries. The task is to understand the nature of constraints and variably which characterizes the world's governments, bearing in mind the national and international contexts within which they operate (king *et al*, 1994). Munro (1925) observed that comparison broadens our understanding, casting fresh light on our home nation, improves our classifications of political processes, enables us to test hypotheses and gives us some potential for prediction and control.

In the early days of the United States, communities were idealized as civic republics. In a civic republic, community government is based on the principle of mutual consent. Citizens share fundamental beliefs and participate in public affairs. These two theoretical orientations, the community as a civic republic and the community as a corporate enterprise, remain viable. A new orientation has emerged, however—one that portrays the community as a consumer market. In a consumer market, citizens are consumers of public services and governments are providers (Osakede & Ijimakinwa, 2014).

United States of America operates general-purpose and single-purpose local governments. General-purpose local governments are those that perform a wide range of governmental functions. These include three types of local governments: counties, municipalities, and towns and townships. Single-purpose local governments, as the name implies, have a specific purpose and perform one function. School districts and special districts are single-purpose governments. Thus, local government in United States of America is classified into five types: These are Counties, Municipalities, Towns and townships, School districts and Special districts (Fatile & Adejuwon, 2014).

In the year 2000 the old local government system of South Africa was replaced with a new, streamlined structure. The new system was designed to drive the government's transformation programme by delivering clean water, electricity, schools, sewage treatment and roads to the poorest communities in the country.

South Africa Local Government consists of Metropolitan municipalities, District Councils and Local Councils, each of which serves a different part of society. Although the number of local authorizes described as a result of the local government restructuring, their role did not as they now became responsible for much of the socio-economic delivery (Fatile & Adejuwon, 2014). Indeed, the 1998 Government White Paper advanced a concept of a Development Local Government, determining that from that point onwards the local governments would pursue integrated development planning. Integrated development planning would take place in the context of intersectional partnerships, requiring, alongside other vested interests groups. Developmental local government was now viewed as a vehicle for South Africa's development, even to the extent that some observers have been anticipant a decline in the power of provincial government (equivalent of state government in Nigeria) relative to the local government structures (Afegbua, 2011).

Unlike the evolutionary character and structure of government in the USA and South Africa, Ghana had a highly centralized government structure pre-1981 Revolution, in which local people and communities were little involved a decision making. Local government services were poor and depended largely on funds and personnel provided by the national government in Accra (Osakede & Ijimakinwa, 2014).

Successive governments in Ghana since independence have looked to a vibrant local government system to aid the country's development. Attempts at decentralization of power

were introduced in 1974 and 1983. Ghana's current programme of decentralization was initiated in 1988 when the Rawlings government introduced the Local Government (PNDC Law 207), through which the number of local authorities, then 65, was reviewed and reorganized into 110 district assemblies. The stated aim of the local government reform was to transfer functions, powers, means and competences from the central government to the local government, and to establish a forum at the local level where a team of development agents, representatives of the people and other agencies could discuss the development problems of the district and/or area and their underlying causative factors. On an ideological level decentralization was expected to support democratic participatory governance, improve service delivery and also lead to a rapid socio-economic development.

The process of decentralization continued and was endorsed by Ghana's first multiparty government that came into power in 1992. It consolidated the aim of decentralization within the new framework of liberal democratic constitution. Recently, to promote the decentralization efforts, Ministry of Local Government and Rural Development has developed and is implementing a National Decentralization Action Plan, which was endorsed by the cabinet in February 2004. The plan being implemented aims to:-

Promote participation and partnerships; strengthen sub-district governance; strengthen functional and governance performance of the district assemblies; strengthen financial and human resource management; consolidate funding; enhance policy management; strengthen political leadership and inter-sectorial collaboration.

The Municipal/Metropolitan/District Assemblies (MMDAs) derive their revenues from the District Assembly Common Fund established under the 1992 Constitution, representing not less than 5% of annual revenue and shared among the MMDAs according to a formula devised by cabinet and approved by parliament, ceded revenue such as taxes from gambling, betting, casinos, advertisement, entertainment duty etc, donor funding especially micro-finance, and other sources.

Lessons and Viable Options for Nigeria

United States of America practices multi-tier system of Local Government. There are five types of local government system. These are the Counties, Municipalities, Towns and townships, Special districts and School districts. The number of local government varies from state to state. For example, Pennsylvania had 4,871 local jurisdictions. The state contains 66 counties, 1016 cities, 546 townships, 1728 special districts and 515 school districts. .

On the other hand, Nigeria operates a single-tier system of Local Government. This is based on a given population range of 150,000 and 800,000 with equal status and powers. As a third tier of government, it receives statutory allocations from federal government. Today, Nigeria has a total of 774 local governments. Local government has no status in the American constitution. State legislatures created local governments, and state constitutions and laws permit local governments to take on some of the responsibilities of the state governments (Wilbern, 1971).

In United States, local governments have legal capacity to raise additional revenues themselves, especially through local option sales and income taxes. A share of gasoline, tobacco and other, tax benefits is greatly appreciated. In Nigeria, section 2 of the fifth schedule of the 1999 constitution strengthened the financial resources of local governments through federal allocation to 1 local, governments (Constitution, 1999).

The idea of Electoral College is unique to America. A candidate may lose in the popular vote and yet win through the Electoral College. In Nigeria, State Independent Electoral College conducts all elections into local government councils at different periods. The system of direct election is used by the electorates to elect their leaders.

Successful decentralization entails giving local government a clear mandate, architecture, and functions, and considerable discretion over the use of its funds and implementation, to obtain alignment with local preferences. The discretion given to local government is meaningful when adequate financial resources are provided, and when consideration of spending needs is tempered with a sufficient measure of locally raised taxes to pay for services rendered. With the scrutiny of tax payers, and a public that not only elects a council but insists on direct participatory democracy, local government is expected to be responsive, and yet spend within its means, and to search for efficiencies and innovation in the delivery of services. Through an appropriate national policy and legal framework, local government is also provided with ongoing guidance and mechanisms for working in concert with national institutions to pursue national goals.

Writing in the 1923 case of *New State Ice Company v. Liebmann*, U.S. Supreme Court Justice Louis D. Brandeis commented, "it is one of the happy accidents of the USA federal system that a single courageous state may, if its citizens choose, serve as a laboratory, and try novel social and economic experiments without risk to the rest of the society," Brandeis's observation was valid in 1923 and remains valid today. American state and local government is proving flexible, innovative and effective in meeting the challenges and adapting to change.

In South Africa the central government is responsible for areas of external relations, defence, education, environmental management, tourism, development and national legislation. Many areas of responsibility are held concurrently with provincial administrations. In practice this means that the national government determines the policy whilst provincial governments are responsible for implementation (Afegbua, 2011).

In South Africa the conduct of public administration in any sphere of government can be investigated by the Public Protector. Apart from investigating the conduct of public administration, the public protector has to take any remedial action she/she deems necessary. Thus, in many ways the public protector resembles in official known as the ombudsman. On the financial aspect, the Auditor General is required to audit and report on the accounts and financial management of all local authorities.

Conclusion and Recommendations

Prior to 1976 local government administration reform in Nigeria, local government were shown to democratic principle. The overbearing power of State government over local councils had significant negative impact on the backwardness of local government council in terms of meaningful and enduring development at the grassroots tilting the pendulum in outrageous subjugation and oppression of the local government apparatus by the state government. Nevertheless the paper observed some precincts and proffers solutions.

In order to promote local government and strengthening its operations and ensure effective democratic governance in Nigeria like U.S.A. there is the need for local government to look inward and tap internal sources of revenue generation rather than depending on the allocations from the federal and state governments that are neither adequate nor delayed unnecessarily. In addition, local government should be empowered to generate revenue from other internal sources like taxes. Effective service delivery of local government is a function of financial autonomy of local government. The more revenue local government can generate on its own, the more efficient and confident it can become particularly in relations with other tiers of government (Fatile, 2011).

Encroachment in the affairs of local government is a threat to local government operations and democratic governance. Therefore, the constitutional provision that made local government an autonomous body must be respected by all and sundry. Thus, the different states under which the local government was set up must not encroach on the revenue base or the territory of their local governments.

Local government must be self-determination or self-governance, therefore, state and central governments should shed their direct involvement and financial expenditure of local government. Thus, the central and state governments should only allocate funds for the use of local government and leave the latter to run its own programmes.

For local government autonomy to be possible there is need for fiscal sustainability, so that future revenues are stable, predictable, and adequate for service needs (Marcellus, 2009). Local governments are to provide full budget transparency so that interested citizens have online access to spending and taxing data. The online data bases in Iowa, Kansas and Texas encourage public understanding of financial complexities and solicit interaction through budget calculators and simulations (Mello, 2012). Furthermore, the Introduction of direct allocation by the federal government will reduce the incidence of 'zero allocations' to the local governments as a result of the practice of 'deductions at source' by the states' chief executives. The sacking of elected council executives by the states' chief executives in Nigeria without observing the rules for reasons that more often than not border on sheer politics should be revisited constitutionally. In addition, elections into all the local government councils in Nigeria should be fixed by the constitution. Election of officials at the local government level must be democratic. Therefore, participation of the citizens in, local affairs should be the basis of choosing local government officials. The idea of "Godfathers" in politics at the local level should be discouraged. Finally, since local government councils have become too political, fundamental structural changes that would reduce partisan politics by the local government officials are necessary for effective democratic governance at the grassroots level.

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