



Journal of Arts & Humanities

Volume 07, Issue 12, 2018: 33-42

Article Received: 26-11-2018

Accepted: 15-12-2018

Available Online: 26-12-2018

ISSN: 2167-9045 (Print), 2167-9053 (Online)

DOI: <http://dx.doi.org/10.18533/journal.v7i12.1537>

Unveiling the Dichotomy between State and Local Government Projects: A Special Reference to Primary Education and Road Construction in South Western Nigeria

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ABSTRACT

This paper unveils the dichotomy between the state and local government projects especially on primary education and road construction in southwestern Nigeria. There are divergences of opinion about performance of local government in delivering essential social service to the populace and how it being interchanged with the state government. It reviews the related concepts. The study utilized both primary and secondary data. Primary data were collected through conduct of in-depth interviews. The results showed that the existence of various projects delivered solely by the local government; the ones financed through Joint Account Allocation Committee (JAAC); and the ones jointly financed with the state government in the area of primary education, and road construction. This difference was evident in the areas of financing and inscription on the project. The paper highlighted some recommendations and concluded that local government had contributed immensely in concurrent functions with the state government, especially in the areas of primary education and construction and maintenance of roads in southwestern Nigeria between 1999 and 2015.

Keywords: Constitutional Functions, Local Government, Southwestern and Nigeria.

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1. Introduction

In the world over, government at all levels have the responsibilities to provide essential services to the populace, though there are constitutional demarcation for each level of government in terms of functions and responsibilities that are expected from them. Thus, Thomas Jefferson writing to Joseph Cabell in 1816 said inter alia; “the way to have good and safe government is not to trust it all to one, but to divide it among many, distributing to everyone exactly the function he is competent to”. Jefferson was of the opinion that national or central government should be entrusted with the functions like

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defense of the nation, foreign affairs and federal relations while the state governments should be engaged in functions that relate to the civil rights, laws, police, and administration of what concerns the state generally and also the local government should be entrusted with the issues that are of local concerns because the more government is closer to the people the better it becomes. In Nigeria, even though each level of government has its own constitutional responsibilities pertaining to provision of essential social service to the populace, there exist a concurrent function between the state and local government in some areas especially in the areas of primary education and road construction. This concurrent responsibility has created a contradiction in the sight of populace on whose level of government to hold responsible for delivery of these services.

In Nigeria, local government has also become the subject of debate across the country on how well they have been able to perform their constitutional mandate by rendering cutting-edge services that will foster socio-economic development at the grassroots level particularly since 1999. Conversely, research has not really exposed the impact of local governments in the provision of essential social service, particularly in the areas of mandatory and concurrent functions with the state governments (Nyewusira, 2011; Abonyi, 2012; Nwoba, 2015; Odewale, 2016). With regard to the above, some scholars (Ola, 1984; Agba, 2006; Ikeanyibe, 2008; Adedire, 2014) have alluded to the facts that the major problem affecting the local government in the performance of their constitutional mandatory functions is the dominant role of state government on local services, but have not take it into consideration the facts that local government cannot function in isolations, and that they also have constitutional mandate to relate with other tiers of government, especially the state government in providing some social services to the citizens. Therefore, in assessing local government on delivery of some project, there is a need to judge it from both the mandatory and concurrent functions.

The promulgation of the 1999 Constitution of the Federal Republic of Nigeria, which recognised Local Governments as the third tier of government with specific functions stated in its Fourth Schedule, includes the concurrent functions with the state governments. These include the provision and maintenance of primary, adult and vocational education; the development of agriculture and natural resources; the provision and maintenance of health services and such other functions as may be conferred on a local government council by the State House of Assembly. The attachment of local governments to the state government in the areas of concurrent functions and other obligations to each other has compelled both of them to be accountable to the populace in the provision of essential social services. Therefore, it is imperative for this study to unveil the dichotomy between the State and Local Government projects pertaining to primary education and road constructions. The paper is organized in these sections. Following the introductory section, the second section provides a conceptual clarification, the third section talks about methodology, follow by findings, recommendations and conclusion.

2. Constitutional functions of local government in Nigeria

2.1 Local government defined

In Nigeria context, Local Government is seen as the third tier of Government that is lower to that of national and state, and not only that they just perform functions stated by other tiers, but they have their constitutional functions clearly stated. The 1976 Local Government Reforms extensively conceives Local Government as:

Government at the local level exercised through representative councils 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 provision of services and to determine and implement projects so as to complement the activities of the State and Federal government in their areas, and to ensure, through devolution of functions to these councils and through the active participation of the people and their traditional institutions that local initiatives and responses to local needs and conditions are maximised.

Blair (1977) opines that Local Government is an institution that has particular resident population occupying a defined area with a locally authorised organisation and governing body on a separate legal entity with the power to provide certain public or governmental services and a

substantial degree of autonomy, having the legal power to raise part of its revenue. Muttalib and Khan (1982) define it as “an ancient institution with a concept of administration having a direct bearing with the provision of services to local clients of the state”. Local Government still remains the ancient institution where services are expected to be delivered in a timely and adequate manner.

Akindele (1990) opines that local government “is an essential instrument for the central government (Federal & State) for the provision of certain basic services which could best be delivered locally on the intimate knowledge of their needs”. Therefore, local government serves as an essential instrument in implementing the policies of national or state government to the people at the grassroots and not only the policies of local government alone can be implemented through Local government but also Governments at the center. Local government is also seen as a unit of government below the central, regional or state levels established by law to exercise political authority through a representative council within a defined geographical area (Olisa, 1990).

In differentiating between local government and central government, Okunade (1993) clearly states that “local governments are created and derived their power from state government, which means they are derivative and not sovereign; and that they originate from the local community of which they also represent”. Therefore, local government is nearer to the populace than the state or federal government.

The definition of Local Government was equally made clearer by Kirk Green in Ola and Tonwe (2009), who submitted thus:

Local Government unit in any system should possess the following characteristics: a certain population, a given territory, a separate legal identity, executive and administrative purposes, an institutional structure for legislative, a range of powers and functions delegated from the intermediate or appropriate central legislature (p.39).

In analysing the foregoing definitions of Local Government, it is apposite to consider some salient features which include:

- i. operates at the grassroots or local level;
- ii. operates within a defined geographical area;
- iii. has a relative independence or autonomy;
- iv. has a range of functions constituted by law to perform; and
- v. has its council composed of elected or selected representatives.

Local government system in most nations of the world share certain attributes and characteristics which include: subordination to other tiers of government or subunit of a federal/central or state government; the authority to embark on public activities; a continuing organisation; the power to sue and be sued; the right to collect taxes; the right to engage in contractual agreement with others; the power to make its own policies and budgets; and power to manage its human resource to ensure efficient service delivery (Tumini 2011; Ezeani, 2012; Chukwuemeka, Ugwuanyi, Okolo & Onuoha 2014; Otinche, 2014).

2.2 Functions of local government in Nigeria

The 1999 Constitution of the Federal Republic of Nigeria provides for two sets of functions for Local Government i.e exclusive and concurrent functions. Adeyeye (2016) elucidates further that three sets of Local Government functions were recognized, namely the Exclusive (Mandatory), Concurrent and Permissive (additional) functions. The exclusive functions are functions listed in the Fourth Schedule part A while concurrent functions in part B include provision and maintenance of primary, adult and vocational education, health services and agricultural extension services, industrial and commercial services and other functions that are prescribed by the House of Assembly. Local governments embark on concurrent functions in conjunction with State and Federal Governments but most, especially with the State Government. The permissive functions are normally not listed in statutes but are assigned by the appropriate legislative body in the intergovernmental context (Adeyeye, 2016).

2.2.1 Mandatory functions

Mandatory functions of local government in Nigeria are exclusive functions which are expected to be performed by local government, as stipulated in the Fourth Schedule of the 1999 Constitution.

These are:

- i. “Collection of rates such as tenement rates, television, radio and non-mechanically propelled vehicle licenses (trucks and bicycles)
- ii. Establishment and maintenance of burial grounds, cemeteries, homes for destitute and infirm, market, motor-parks, parks, gardens and public conveniences
- iii. Construction and maintenance of roads, streets lightening, drainages and other public highways, open spaces or such facilities as may be prescribed by State House of Assembly from time to time
- iv. Assessment of privately-owned house or tenements for the purpose of levying such rates as may be prescribed by the house of Assembly of State
- v. Numbering of houses, naming of streets and roads
- vi. Controlling, regulating and licensing of sale of liquor.
- vii. Controlling and regulating of outdoor advertisement including kiosks, shops, restaurants, and laundries
- viii. Registration of births, deaths, and marriages”.

2.2.2 Concurrent functions

Concurrent functions are functions expected to be performed in relation to other tiers of government. Also, Fourth Schedule of the 1999 Constitution establishes a relationship between the local governments and their various state governments in the following areas:

- i. “Economic and development planning of the state.
- ii. Provision and maintenance of primary, adult, and vocational education.
- iii. Agriculture development and natural resources (other than the exploitation of minerals).
- iv. Provision and maintenance of health services (especially primary health).

Other functions may be conferred on a Local Government council by the House of Assembly of the State”.

Meanwhile, the Fourth Schedule of the 1999 Constitution made exhaustive provisions for the functions of local government. These functions cut across all states of the federation. So also all these functions are divided into various departments within the structure of Local Government, and to a large extent, environment of every Local Government would determine the volume and nature of functions. For instance, the functions of Local Government in urban areas will significantly differ from that of rural areas in respect to the degree of involvement and nature of the functions to be performed. Notwithstanding, all Local Governments throughout the federation shall perform the afore-stated functions.

2.3 Dichotomy between state and local government

In Nigeria, the 1976 Local Government reform remains the bedrock of Local Government till date. And one of the major objectives of the reform is for Local Government to make delivery of services and developmental activities responsive to local wishes and initiatives, and 1979, 1989 and 1999 Constitutions of the Federal Republic of Nigeria where the present system of Local Governments derived their powers and functions attest to it. The reforms were to correct some of the previous defects in the system of local government, especially in the areas of state dominance, funding, staffing, excessive politicking, the divorce between the people and government, etc.

The acceptance of the guidelines for local government reform by the state government has been a turning point in the history of state-local government relationship. By this, states have virtually lost all their major power to supervise, and as such the relationship should no longer resemble that of a master and servants but rather that of two partners in the social and economic developments of the people (Oyewole, 1980, Awokotun 1995). The fact that local government is being recognised as the third tier of government and the state government still has some supervisory roles on local government does not connote that state should be taken as lord over them, but a partner in progress so as to cater for people at the grassroots level. There are clear-cut functions to local governments and other functions which they are expected to perform with the state government.

These clear-cut functions do not elude the local governments in Southwestern Nigeria which the Constitution of the Federal Republic stipulated clearly. The provision of essential social services such as health, education, water, roads and housing and some others has always been the responsibility of the Federal, Regional or State and Local Governments in Nigeria (Nwoba, 2015). Also, the local government has its mandatory or exclusive and concurrent functions which the 1999 Constitution of the Federal Republic of Nigeria stipulated clearly.

There are contrary opinions that local government had performed wonderfully well in the provision of essential services that are needed at the grassroots, but it is being interchanged with the State Government, especially on road construction and primary education. In the same vein, there are prolonged issues in the area of construction and maintenance of roads by the state government but financed with Local Government funds while state government bagged the glory in the sight of the citizens. The Joint Account Allocation Committee (JAAC) has also constituted a problem in this direction. This affects the social service delivery of Local Government because most times, most of the citizenry cannot distinguish between State and Local Government projects. Local government in Nigeria has both mandatory and concurrent functions on social service delivery. Previous studies have shown the independent performance of local governments on mandatory functions with little or no attention given to their concurrent functions with the state government, especially on primary education and road construction.

It is apparent that Local governments in Nigeria could not be judged in isolation of state government in the provision of social service. They have constitutional duties to relate to the State government in the delivery of some social services to the local populace. Local Governments were created in Nigeria as the third tier of government to ensure effective, measurable and efficient service delivery such as primary health facilities, primary education, housing, agriculture, water, rural electricity, roads, etc. with certain resources. It is unfortunate that most of the populace at the local level does not have access to these essential services. This is in tandem with the assertion of Udoh (2005) that over two-thirds of Nigeria's population resides in local areas still lack access to electricity and safe drinking water.

Thus, existing studies have little or no information on the efficacy of local government and social service delivery in tandem with their full constitutional roles i.e both the exclusive and concurrent functions to juxtapose the funds accrued to them. Local governments have been seen in isolation, especially on the concurrent functions. Hence, there is a need for this study to unveil the dichotomy between the state and local government project especially on primary education and road construction between 1999 and 2015 in Southwestern Nigeria as a reference point.

3. Methodology

The study utilized both primary and secondary data. Primary data were collected through the conduct of in-depth interviews. Some key stakeholders in the areas of road construction and primary education were interviewed. The interviewees provided the necessary information to unveil the dichotomy between the state and local government projects in the areas of primary education and road construction between 1999 and 2015 in Southwestern Nigeria. The content analysis of the qualitative response is systematically discussed to identify the differences. Secondary data were obtained from academic journal, government publications and internet materials.

4. Findings of the study

Primarily, this study was achieved using interview method. Some key stakeholders in the areas of road construction and primary education were interviewed. The interviewees provided the necessary information to unveil the dichotomy between the state and local government projects pertaining to the provision of social service in the areas of road construction and primary education between 1999 and 2015 in Southwestern Nigeria. The interviewees acknowledged the fact that local governments in Nigeria have its mandatory and concurrent functions with the state government with regard to road constructions and primary education. According to one of the Head of Local Government Administration (HOLGA) in Ogun State, "Local Government has constitutional mandate to perform certain functions on their own which can be categories as mandatory function and also has other

concurrent functions with their respective state governments”. Also one of the Community Development Associations (CDAs) chairmen in Ekiti State stated that “Local Government perform some functions on their own, [and] perform some with state government, and sometimes take permission from the state government before they can embark on some projects, especially in the areas of road construction and primary education”.

He also established the fact that all the three tiers of government, including the local government, have the responsibilities for the construction and maintenance of roads in Nigeria. i.e the federal, state and local government trunks, while local government has the highest share of the trunk. The interviewees also provided some information concerning the contributions of local government as regards the primary education, both in mandatory and concurrent capacities with the state government. In the views of National Union of Local Government Employee (NULGE) Chairman Ogun State; Association of Local Government of Nigeria (ALGON) Chairman Ekiti State; and some of the Directors for Works in selected Local Government Areas, there are certain road networks which had been assigned to local government to construct and maintain. Also, the state and federal governments have their own portion to oversee i.e trunk A, B and C roads. Trunk A roads are federal road while trunk B roads are state road, and trunk C roads are local government road. They are of the opinion that local government road network constitutes the larger percentage in Nigeria road network.

The Directors of Works in some of the selected LGAs; the paramount traditional rulers; and the Chairmen of CDAs in some of the selected states are of the opinion that the share and sole responsibility of local government regards to road constructions and maintenance are enormous because they are in charge of rural roads, city streets, village streets and community streets. Also, they have the responsibilities of constructing roads that would link up to state roads and at times with the federal roads depending on the geographical location. However, due to these enormous responsibilities for the local government on road constructions and maintenance, there exists a lack of capacity in term of finance and other support from the state government to face the enormity workload to construct motorable roads. This resulted in the grading of roads instead of tarring the roads. Some of the ALGON Chairmen in the selected states and some of the Directors for Works in the selected Local Governments affirmed to the fact that roads constructed or repaired by local government or jointly with state government had not only been on trunk C which is local government trunk but cut across other trunks, mainly trunks B and C, which are local and state government roads. And even at times, local government repairs trunk A road which is federal roads. They embarked on this due to the peculiarity of that road to the locality at that moment and also in other to attend to the needs of the grassroots not minding which tiers of government are responsible.

The stakeholders interviewed, especially in the areas of road construction revealed that there exist roads, bridges, and culverts constructed solely by a local government; the ones jointly constructed by two or more local governments; and the ones jointly constructed by local government and state government. But most of the times, these project are being financed from Joint Account Allocation Committee (JAAC). Ogun State NULGE chairman also revealed that:

Even JAAC itself is more of local government affairs because it is the federal allocation of all the local governments in a particular state that constitute JAAC of the various states with the supervision of the state government not that the federal allocation to state government is directly involved. Therefore, any project or social service delivery funded through this account should count for local governments in that state because they also have the constitutional responsibilities and functions to be accountable to the citizens. The current tradition had been that state government had hijacked the JAAC in their favors. (Field survey, 2018)

The arbitrary occurrences with this arrangement are that any social service funded with JAAC, which is primarily local government funds, are taken away from local government in the sight of the citizens and the state governments take the glory instead.

Furthermore, there is mix-bag revelation, especially between the service providers and users in unveiling the differences between the state and local government projects in the areas of road constructions and maintenance. Most of the interviewees across the study areas especially the service provider, attested to the fact that local government had been performing their mandatory functions with regards to road construction and maintenance, but they had been hampered with the resources at their disposal, especially between 1999 and 2015. They also established the fact that state

governments had constructed roads in various localities across their state and they had also embarked on a joint project with the local government in the area of road construction since 1999. Meanwhile, most of the stakeholders that represent the service users were of the opinion that local government had performed relatively low in the areas of road constructions and this has been pointed to the fact that the state government had rendered them useless by not releasing their funds to them accordingly.

This mix-bag revelation between the service providers and users further revealed the relationship between the policy makers (government), the service provider (government machinery) and service users (citizens). It was clearly established that local government solely construct and repair roads, culverts, bridges, and drainages. But more also, what is not clear to the citizens or the users of the services is the relationship between the state and local government with regards to how JAAC is being run with the state government, pertaining to provision of road construction. Though, there were several roads identified by policymakers as a joint project with the state government because it was funded with JAAC and counterpart funds from state government, but the citizens have a belief that such roads are being constructed by the state government and still believe that local government is not functioning as they ought to function.

Some of the stakeholders that represent the service providers and service users at the local government level, particularly the Ogun State NULGE Chairman, and Ekiti State CDAs Chairman, were of the opinion that state government embarked on joint projects with the local government without much involvement of stakeholders at the local level. Ogun State NULGE Chairman asserted that:

in a situation where there should be a joint project, there should be a kind of relationship between the upper and the lower tier of government i.e state and local government, but when there is no that kind of relationship, it become worrisome to phantom any joint projects in the real sense of it, what happened most of the times is that the state governments will come on air without the involvement of local government stakeholders and broadcast that they have legislated on a law specifying joint responsibility and joint finance of project with the local government but the state government does everything without recourse to local government, and afterward it would be documented that the road is jointly financed without much and adequate public awareness. (Field survey, 2018)

Ekiti State CDAs Chairman also affirmed this assertion by saying that “these kinds of road cut across various localities and classified such roads as a joint project without much impact of local government in terms of personnel and other logistics.” They also established the fact that political decision in terms of the location of road to be constructed and the award of contract are solely done by state government while administrative implementation such as personnel, supervision and grassroots inclusiveness are in mirage towards this kind of projects. Largely, state governments accrued all the apparatus to themselves without much recourse to local government.

Remarkably, it was however revealed by some of the interviewees, especially those that represent the policymakers that most of the joint projects especially on road construction seem to be more of state government’s responsibility than both local and state government’s but they both get involved in them because of the need to encourage even development and equality across the local governments areas of the state which had also been part of the principles that guide JAAC itself. The Ekiti State NUT chairman asserted that:

there are several deductions from JAAC such as salary of primary school teachers, primary health workers and most of the time in the process of encourages equality and even development across the local governments within the state, the state government co-finance construction of roads with their local governments through JAAC. (Field survey, 2018)

One of the Directors of works in the selected local government of Osun state stated that:

this kind of projects financed through JACC especially in roads construction cut across different administrations between 1999 and 2015 within southwestern Nigeria some 5 kilometers of roads and some 10 kilometers per local government which is being funded jointly but being overseen and supervised by the state government. (Field survey, 2018)

They were also an attempt to justify the statement of overseeing and supervision of state government on joint projects, on the basis that state government awards the contracts and supervise the project so as to ascertain and monitor the full compliance with the specification of the road and to bring out the needed quality. They agreed that though there may not be adequate and required public

awareness, the whole process is not outright outside the consent of some stakeholder of local government, especially those that represent local governments in JAAC meeting.

In unveiling the differences between state and local government contribution to primary education in Southwestern Nigeria between the period of 1999 and 2015, the interviewees, especially the stakeholders in primary education, revealed that the three tiers of government in Nigeria i.e. federal, state and local government have the responsibilities to contribute to Universal Basic Education (UBE). LGEA Chairman in one of the selected local government of Ekiti state revealed that:

Majorly, the state and local government funds the primary education and also received some 2% consolidated revenue from the federal via the Universal Basic Education Commission (UBEC), State Universal Basic Education Board (SUBEB) and Local Government Education Authority (LGEA). UBEC was established by the federal government to coordinate the implementation of the programme at the states and local government through the SUBEB of each state and LGEAs particularly on the usage of 2% consolidated revenue. (Field survey, 2018)

The bulk responsibilities of primary education in Nigeria are more on state and local government.

NUT Chairmen in some of the selected states; and some of the Director of CDI in some of the selected local government affirmed to the fact that local government contribute to primary education both in mandatory capacity and concurrent capacity with the state government. They also see the contribution of local government in different dimensions, which also affirmed the mandatory and concurrent functionality of local government. The first dimension of the contribution of local government to primary education was that teacher's salaries and pension were being paid from local government funds through JAAC to SUBEB and LGEA, every month. In other words, Local Government pays the salary and pension of primary school teachers and not the state government should get credit, therefore local government deserve necessary accolade. It was also established that local government pays the salary of primary school teachers directly before the introduction of UBEC, SUBEB, and LGEA in the year 2004.

Some of the PTA/CBSMC, CDAs and NUT chairmen in the selected state also revealed another dimension in which local government contributes to primary education in terms of the building of classrooms, public convenience or toilet in schools; provision of instructional materials to pupils so as to complement the effort of SUBEB and LGEA. They also revealed that the building of these classrooms solely by local government could come in two folds or dimensions. The first dimension are the ones built by local government executives as normal projects to enhance primary education, and these are awarded by local government, supervised by the local government and also commissioned by local government, especially the chairman. These kinds of projects are seen all around the schools in different community and locality. The second dimensions of these kinds of project are the ones built by Councilors to their various wards and constituency in the name of constituency project. It could be three classrooms block or more, and these are also seen all around schools in different communities and localities. It was also revealed that not only did they build classrooms, but they also provided furniture in terms of tables and chairs for the teachers and pupils, instructional materials and other amenities needed for sound learning. However, it was established that local government was able to embark on those projects because they were financially buoyant, and the time frame of this study was rated as follow: 1999 to 2003 very superb, 2003 to 2007 averagely Okay. But thereafter it has been extremely bad. It has grown from good to bad between the years 1999 and 2015 in terms of giving local government the wherewithal to embark on the provision of social service for the benefit of citizens in their jurisdiction without much intervention from the state government. The strength and power of local government are strategically diminishing day in day out by state government.

5. Recommendations

State governments need to take into consideration that local governments have some constitutional mandatory function to perform outside the concurrent functions with them, and that they (local government) also have constitutional responsibilities to be accountable to the citizens in some areas. This should thus be addressed in the way local government funds is being deducted or diverted to something else. The more local government engaged in the concurrent function with the state government, the more it affects their mandatory functions. State government should also take

cognisance that local government also has other functions to perform. The 10% IGR from the state government that supposed to be accrued to the cover of local government should be given to them.

There is also need for necessary accolade to be given to local government in the sight of the citizens. The contribution of local government on concurrent responsibility is enormous and it becoming a mirage in the sight of citizens and instead the state government accord unmerited glory to themselves at the expense of local government, there is need for deliberate accountability and transparency of both tiers of government to the citizens, even on their joint project, so as to know who and who to hold responsible. The relationship between the state and local government should indeed be a “partner in progress” relationship so as to provide services for the populace and not “master and servant” relationship.

6. Conclusion

The study had been able to recognise the existence of various projects delivered solely by the local government, the ones financed through JAAC and the ones jointly financed with the state government on primary education and construction and maintenance of roads in the study areas. The differences came to focus from the fiscal relationship between them and the inscription on such projects, therefore local government had contributed immensely in concurrent functions with the state government, especially in the areas of primary education and construction and maintenance of roads in southwestern Nigeria between 1999 and 2015.

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