

## Crucial Issues in Intergovernmental Relations on Local Government Administration in Nigeria

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### Abstract

*This study investigated perceptions on crucial issues that bedevil the impact of intergovernmental relations on local government administration in Nigeria. The third tier of government which is closest to the grassroots has been hijacked and prevented from meeting its major obligations due to the fact that they were created under the wings and caprices of the state government. The relation between the three tiers of government in Nigeria has been problematic over the years. Though several commissions and committees have been set up and recommendations proffered, up till date, fiscal issues exist among the tiers of government. The local government being the third tier of government is the worst hit and this has negated the performance of their responsibilities to the local people. It is in view of this that this paper assessed the relationship, transaction, interplay and interactions that exist among the three tiers of government, that is, the federal (central), state and the local government in Nigeria. The paper also examined the imbalance that exist among the three tiers of government. The paper recommended that the National Assembly should grant full autonomy to the local government in Nigeria and that efforts should be made to ensure that all tiers of government should adhere to fiscal transparency, accountability and constitutional provisions on fiscal relations.*

**Keywords:** Local government, Inter-governmental. Relations, Administration and model.

### Introduction

Since the inception of intergovernmental relations in Nigeria, local government has not been given enough powers in its relationship with the other levels of government. The federal and state governments gain powers at the expense of local government and that is in spite of the fact that over eighty percent of the total population of Nigeria resides in the rural areas and produce the bulk of agricultural products needed for consumption. The local government has also been used as a vehicle or tool for the mobilization of support by the ruling party in election time, both federal (central) and at the state level. This poor performance of the third tier of government is often believed to be due to inherent problems that bedevil it including finance, corruption and problems arising from state-local government relationship, central-local government relationship, and central-state-local government relation.

Oviasuyi and Isiraojie (2016) lament that though the original idea in creating the local government was for bringing government closer to the grassroots, by encouraging the

participation of the local people, it has been hijacked and replaced with sadistic intents to oppress the grass roots by the ruling government of the day. Also, Ibietan (2010) cited in Oviasuyi and Isiraojie (2016) also state thus:

*“where the ideals and strategies for effective development have been understood the correct way, local government is the focus of government efforts at promoting development. It becomes imperative that to effectively develop, the people must be adequately mobilized. A purposeful combination of local (peoples) effort/energies with that of government with the objectives of improving socio-economic conditions and encouraging participation is the key in rural development.”*

In promoting the autonomy of the local government, the federal government in 1976 upheld the local government reform, some of the highlight of the reform include, the establishment of a uniform local government system, making the appropriate services and development activities of local government responsive to local wishes and introduction of supervisory councillorship in the administrative and political control mechanism of the local government; also as a channel of communication between the local population and the state-central government.

Despite the 1976 local government reform, local government is still not autonomous in relation to state and federal government. As observed by Idada (2013):

*The imbalance in the federal policy is occasioned by the historical antecedents of Nigeria federalism; the low level of internationalization of democratic and leadership values by actors in the political process; and the predominance of prebendal and predatory elements in the polity that de-emphasize the basic objective of promoting interaction and peaceful co-existence among the constituent units in the federal system.*

Federalism is a result of a contract or agreement among the federating units, and the coordination among them is expedient for the smooth running of the federation, therefore, it is of immense importance that the local government is given full autonomy. It is only the local people that are in the best position to provide the needs to the problem of local people. In Nigeria, the issue of allocating resources among the three levels of government has remained controversial due to lack of acceptable formula. It generates tension and bad blood among the three tiers of government. Also, there exist the issue of an acceptable revenue sharing formula; this has led to conflicts between the three tiers of government. Example of this is the Revenue Allocation (2000 – 2010), where the current vertical allocation formula is based on Presidential Executive order as follows:

Federal Government – 52.68%

State Government – 26.72%

Local Government – 20.60%

Another problem is the existence of control of one level of government by another in many aspects. The local government is dominated by the federal and state governments. The Nigeria local government system lacks independence and this makes this tier of government to be completely dependent on the federal and state governments for survival. It is on this note that this study specifically examines the under listed objectives. To determine the extent to which intergovernmental relation has been improved through policy implementation in local government administration; to state the functions of state – federal contribution towards the effective and efficient service delivery of local government in Nigeria; and to proffer solution to the identified problems in the local government administration.

**Crucial Issues:** These are issues that affect the relationship between the local government administration and other levels of government. These are challenges that hinder the local government from meeting its set goals and objectives.

**Intergovernmental Relations:** Intergovernmental relations can be seen as that mutual interactions, transactions, interplay that take place between and among the tiers of government in a political system; these relations can be seen in local-state-federal government relations.

**Administration:** These is maximising the available material, labour and resources in public organisations in order to achieve that purpose which the organisation was being established.

### **Theoretical Framework**

This study is hinged on the work of Wright (1972) known as D.S. Wright models of federalism (The overlapping model). The model is also known as Partnership Authority Model. In this model, the three levels of government (federal, state, local government) are regarded as equals before the law. The constitution usually delineates and regulates the activities of all the levels of government. Consequently, both the powers and responsibilities of the various tiers of the government could be added and subtracted from, over time as a result of the co-equal assumption of the model, local governments usually command considerable financial autonomy as they are given power to tax their citizens and discretion on the nature, form and level of services they wish to provide.

In the overlapping model, there is an inbuilt cooperation and understanding among the various levels of government, such that the functions of one tier of government can be performed by another tier on its behalf.

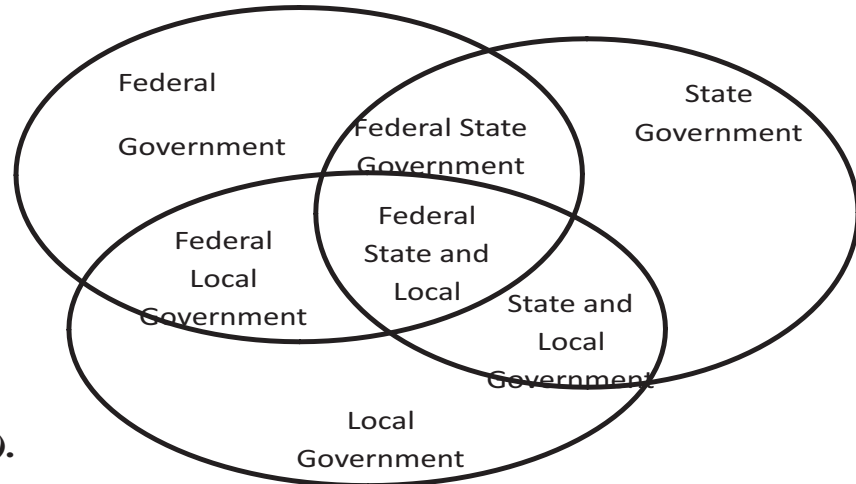
Wright's original description of the overlapping model focused on six “chief characteristics” (Wright 1988).

- Limited and dispersed power
- Modest and uncertain areas of autonomy
- High degree of potential or actual interdependence
- Simultaneous competition and cooperation
- Bargaining – exchange relationship
- Negotiations as a strategy for reaching agreement.

In this model, intergovernmental relations is presented as a set of overlaps between national, state and local government units simultaneously. It also presents the relationships as one in which autonomy and discretion in a single jurisdiction are constrained hence, the power and influence available to any one level is significantly limited (Wright 1988). He (Wright) emphasized the role of bargaining between actors in that model.

This model moves us to think about differences in relationship by programme area, differences between states, and differences between state, local relationships. It reviews its influence on policy development, programme relationships, and administrative practices. It indicates the ability of the model to reach beyond the three institutional levels and to include a range of third-party players as well as those that have emerged from various forms of contracting our model.

**Figure i: The Overlapping Model:**



*Source: Idada (2013).*

Figure i which is the overlapping model shows a mutual interaction, shared autonomy, cooperation and non-subordination among the three government components in polity namely, the federal, state and local government. Such mutual relationship and transaction helps to obliterate suspicion from the polity and the spirit and flame of true federalism would be kept at aglow (Idada, 2013).

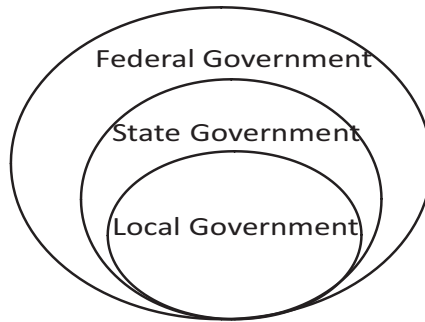
The relevance of the model to this study is that the model has been able to explain the harmonious relationship that exist among the three tiers of government and the various component units in the state. This will help to reduce the conflicts that arise from their interactions and because of the mutual relationship that exist among the various units, this will aid service delivery.

### **Understanding the Nature and Structure of Government Relation**

In his view, Obi (2004) sees intergovernmental relations to mean the complex patterns of interactions, co-operations and inter-dependence between two or more levels of government. It is described as formal and informal relationships and transactions that take place among the levels of government within a state. From the above definition, intergovernmental relations can be described as the interactions, transactions, interplay that exists between and among the various units in a political system. On the other hand, intra-governmental relation simply means the interactions, transaction, interplay that exists between and among different levels or arms of the same government.

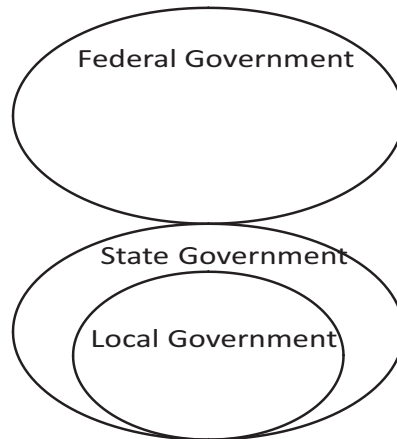
The most important feature of a federation is a union of states in which each state retains its autonomy, while a central government controls designated and limited matters of concern. Federal-state government control on the local government administration, which this work considers, has attracted much literature work. It is in this regard that Wright (2008) identify the three models of intergovernmental relations known as D.S. Wright models of federalism. The models are the coordinate authority, inclusive authority and the overlapping authority. The coordinate and inclusive authority models of intergovernmental relations are constitutional definition which state or emphasize how local government and states fit a federal system of government. It is in this regard that Idada (2013), in explaining D.S. Wrights models of federalism, diagrammatized the explanation to better understand the workings of government in any political system.

**Figure ii: The Inclusive Model.**



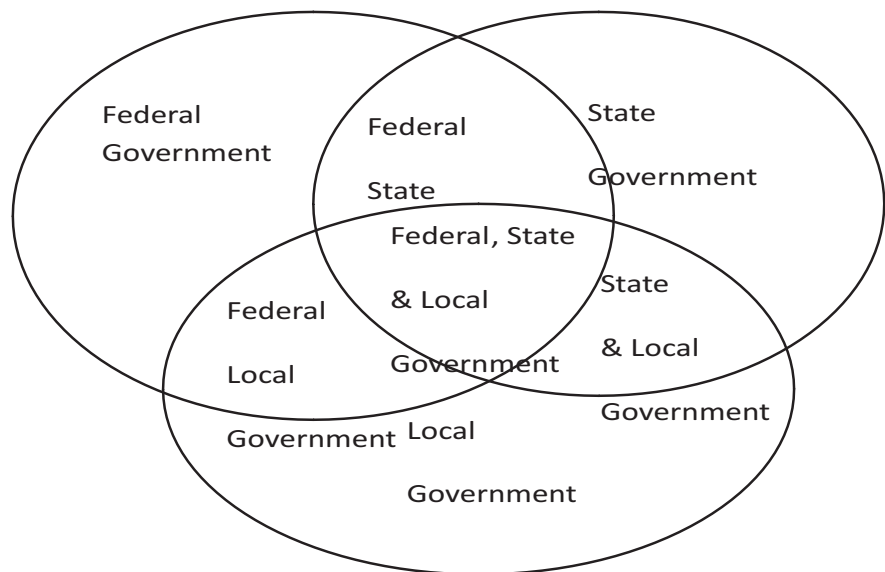
Source: Idada (2013:21)

**Figure iii: The Exclusive Model**



Source: Idada (2013:21)

**Figure iv: The Overlapping Model**



Source: Idada (2013:21)

He (Idada) went further to explain the models stating that “Figures ii, iii and iv above represent various and varied patterns of transaction and interaction in a federal polity. Figure 'i' which is the inclusive model shows the local government and state government as subservient tools, instruments and appendages of the central government. The relationship that exists here defeats the cardinal federal principles of autonomy and cooperation. Figure ii, which is the exclusive model shows the virtual complete autonomy between the state and central government. The local government under this model of interaction is not conferred any iota of administrative freedom and autonomy for that matter. Rather, the local government is naturally perceived as an extension of state governmental machinery. This interaction between the local government and the state government and the virtual complete autonomy between the state and central government negates the principle of true federalism premised on mutual interaction, shared autonomy, cooperation and non-subordination. Figure iii, which is the overlapping model shows a mutual interaction, shared autonomy, cooperation and non-subordination among the three governmental components in the polity, namely the federal, state and local government. Such mutual relationship and transaction helps to obliterate suspicion from the polity and the spirit and flame of true federalism would be kept aglow”.

He stated thus further:

*“Whereas the state and local governments are largely dependent on the federal government and their structural relationship inclusively and hierarchically arranged in the inclusive model. The state is independent and autonomous of the federal government in the separated or exclusive model. Again, in the overlapping model, the federal, state and local governments are all independent and involved in a bargaining of sort in the discharge of their statutory responsibilities.”*

### **Issues and Challenges**

Continuing from the explanations on the different models of governmental relations and constitutional stand on the interaction between the different level of government, the following crucial issues and challenges are examined to understand the nature of governmental relations in Nigeria local government administration, though not limited to these:

**Internal Security:** One of the issues of intergovernmental relations on local government administration today is internal security. Though state governors are made formal chief security officers, the commissioners of police who give instruction to the divisional police officers are agents of the national leadership of the government, but wield powers, authority and functions at the local government levels. It is to be noted that from 1999 – date, the country has been home with lots of ethno religious crisis, sectarian mayhem, electoral violence etc. questioning and shaking the survival of democracy. Notable among them are, the Yoruba and Hausa / Fulani disturbance in Shagamu, Lagos State (1999-2000), the Urohbo/Ife Modakeke crisis (2000-2001), the Jukun / Tiv conflict (2000), incessant turbulence in Jos, the erstwhile home of peace and tourism, the post-election violence in the Northern part of Nigeria (2011) and constant sectarian turmoil exemplified by the activities of BokoHaram. The x-ray of the above upheavals will indicate that, our democracy is surely under great challenge making Dauda and Avidime (2007) to argue that the current security situation in the country is a major obstacle to the consolidation of democracy, which in turn affect the growth and development of inter-governmental relations in Nigeria.

**Creation of Local Government Area:** The creation of local government area and the control has caused a major setback in the relationship that exist between the state and the central government since the inception of the forth republic in 1999. This was seen in Lagos State where the Lagos



State government created additional local government areas and conducted election to the local government councils, whereas the then President of Nigeria, Obasanjo directed the Ministry of Finance (Federal) not to disburse money to the Lagos State government. This led to the challenge between the state and the central government whereby the Lagos State government instituted a suit at the Supreme Court against the federal government's attitude. Due to this challenge, the Lagos State government was unable to meet up its statutory obligation.

**The Suspension and Removal of Chairmen from Office:** The states government actions and attitude towards the local governments, since the inception of the forth republic in 1999, has resulted frosty relationships between the local government and the state governments. Local government chairmen have been removed and suspended from performing their statutory functions. For instance, the past governor of Edo State, Governor Adams Oshiomhole removed and suspended some chairmen from office and this led to some chairmen to sue the state governor and make their relationship unpleasant.

Adeyemi (2012), writing on how corrupt local administrators in Nigeria are, mention cases like the former chairman of Ezeagu North East local government area council in Enugu State, Mr. Edwin Offor Nwatarali, who was charged before Enugu High Court by Independent Corrupt Practices and other Related Offence Commission (ICPC) for allegedly diverting the sum of N1, 109, 250, 00 belonging to the council to his personal use while in the office. Alhaji, Aso Safiyanu, was also alleged to have used his office as the Director of Finance in the council to confer corrupt advantage upon his relation by giving the sum of N500,000.00 belonging to the council to his brother, Bala Safiyanu, who was head of the National Union of Road and Transport Workers (NURTW), for a service he did not render (Ameh, 2008 in Adeyemi, 2012).

The former council chairman of Abeokuta North Local Government Council in Ogun State, Alhaji Morouf Ajisegun was convicted and sentenced to two years imprisonment with the option of N500, 000.00 fine for lavishing the sum of N260, 000.00 meant for printing of exercise books in the local government on Ileya gift (Ingobro, 2006 in Adeyemi 2012). Fatile and Okewale (2014), commenting on the level of corruption in the Nigerian public sphere, posit that "A cursory look at the level of corruption perpetrated by directors in public organizations till date, is a monumental waste. In Zamfara state, the director of budget was suspended for allegedly stealing N53 million from the state treasury. The consequence is an emasculating deprivation of basic amenities and a dangerous disconnection and disenchantment of the people with the three tiers of government; while the officials of the council celebrate their ill-gotten wealth.

**Local and State Government Joint Account:** Another major setback in the intergovernmental relation between the local government and the state government is the management of joint account between these two tiers of government. The state governments oftentimes starve the local government of their funds. This has led to the unpleasant relationship between the state governors and the local government chairmen.

Joint account between state and local government in Nigeria has created a lot of crisis in the development of local areas with frequent deduction and misappropriation of local government funds by states. This is because the federal government was statutorily obliged to send allocation for the local government units to the supervising state government for distribution to them, whereas most of the state governments often misappropriated the allocation for their respective local councils. Also, the amount which a local government can spend on a particular project is regulated and monitored by the state government (Ojugbeli & James, 2014).

Some of the Governors see local government as an extension of their political and administrative domain. The financial transaction (budget) of local governments must be approved by the House of Assembly which still lies within the purview of the state parliament. The introduction and the subsequent implementation of the state joint local government account system in Nigeria following the restoration of civil rule in 1999 had largely constituted and generated a lot of controversies in the polity, such as the allegation of indiscriminate deductions from the statutory allocation of the local government by the state government and its concomitant effect on local councils service delivery to the grassroots. All these has, in the main painted an ugly, hideous and parlous picture of the system of financial administration as it affects the local council's administration in Nigeria. Nigeria's fiscal federalism structure involves the allocation of expenditure and tax raising powers among the three tiers of government. That is, it deals with financial relationship between and among existing tiers of governments. Fundamentally, it deals with the system of transfers of grants and the federal government shares its revenue with the state and local governments.

Nigeria has embraced this system of transfers over the years. Since the majority of the local councils lack the capacity to raise sufficient Internally Generated Revenue (IGR), it has to depend upon federal allocation for her performance. Therefore, the inability of the councils to generate revenue meant for their functions and operations has largely contributed to their total reliance and dependence upon federal statutory allocation to remain relevant as a tier of government in the Nigeria federal system. The lack of adequate fund affects the operation of the local councils, invariably painting a very ugly picture of the system. This is probably why Nwaka (2006) argued that the provision of 20% for local governments in the revenue allocation formula of the federation's account remains a tragic reminder of the lack of political will to appropriately address the problem of local representations and effective delivery of services. As the government that has the most direct and immediate impact on the people, it stands to reason that adequate funding should ordinarily be guaranteed for this tier of government. Many local governments are rural based and naturally have limited capacity for internally generated revenue. It is expected that local government should actually be the engine of growth for local economics but regrettably, the hegemonic control of the revenue from federation account by the state governments and the federal government is not indicative of a genuine desire to strengthen the local government to meet the high expectation of the mass of the people. Onah (2004) observed that "the local governments are heavily deprived of funds which they could use in development pursuit. The skewed administration of the state joint local government accounts in favour of the state totally explains the deprivation. The local government's due of the federal allocation is tampered with by the state, and in some states, the revenue-yielding resources are also taken over by the state". Ojugbeli and James (2014) argued that the issue of joint account had facilitated all manner of deductions from council allocation. Consequently, this brings inefficiency to the local government system, obstructs local governments from taking quick decisions and disallows them from embarking on useful projects, (Lamidi & Fagbohun, 2013).

Joint account system as a financial policy of the local government was given birth to in the 1979 Constitution following the nationwide local government reforms of 1976. The system was subsequently abolished in 1989 by the General Ibrahim Babangida administration due to its wrong implementation by the state governments. It later found its way back into the constitution in 1999, following the restoration of civil rule in Nigeria. The implementation became problematic as state governments turned it into a money-making venture. This attitude therefore, became pathological as local government productivity and performance are negatively affected.



**Policy Powerlessness of the Local Government:** The federal and state governments control and decimate local governments in Nigeria. The powerlessness of the policy of local governments is evidenced in how the state and the federal government delay in the approval of the annual budgets of the local government, thereby dictating which projects to be executed by the local governments. It is of this note that Iyoha (1999) corroborate the interview of the then Secretary to local government in Okpebho (now Esan West) where he stated that the local authorities are at the mercy of Lagos, that is, the federal government, as they may dissolve the council at any time. Iyoha (1999) further explained that such dissolution and the attendant change in leadership interrupts decision making and funding, and delays implementation of projects and their continuance. In his view, “the result is stagnation of development as the leaders take time to settle down to business”.

**Cultural Challenges:** Edwards cited in Iyoha (1999) defined culture as that complex whole which include knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of society. It is of this note that one can say culture is the way of life of the people, i.e. the way they eat, language, dress, attitude etc. The culture of the people has affected the relationship of the people (citizenry of the local government) and the administration of local government. This has led to the underdevelopment of local government. As it were, in Nigeria, the people aid and abet corruption, so much that when a community member assumes office, the common challenge is “this is your time o” “please don't slack”. Also, when a member suddenly arrives a village/town with expensive jeep, ready to perform the house warming of a palatial mansion, rather that raise alarm, the people cheer, unlike in developed democracies where the society is sophisticated and enlightened to the extent that in cases of crime or violence, the people raise alarm for designated regulating authorities to promptly rise to the occasion. The implication of the foregoing is that while democracy is being consolidated in the western world, Nigerians are being robbed of democratic dividends. To the citizenry in Nigeria, government resources are consistently stolen into safe havens, that is the home community of the public or government officials. The truth is that, government official who fail to make billions of Naira, build houses in many cities, amass cars, sponsors children, wives and concubine abroad while in office, is openly chastised and abused of being stupid; slow and insensitive (Aghayere and A limi, 2009)

**Local Government Caretaker Committee in Nigeria:** Oviasuyi and Isiraojie (2016) assert that historically, caretaker committee system in local government administration has no place in the constitution of the federal republic of Nigeria. The state governors had particularly used the caretaker committees to work towards delivering the votes of their local governments to the political parties without the conscience of the people of that locality. This has led to the unpleasant relationship between the people and the caretaker committee chairmen.

However, its practice dates to Nigeria's second republic just as Ogunna (1996) noted that during the period, all the states of the Federation operated their local governments with caretaker committee System consisting of loyalists appointed by state governors. Since then, the idea of managing the local governments with caretaker committees has been on the increase in Nigeria. Between 2003-2013, 25 out of the 36 states in Nigeria have the local government administered by the caretaker committees (Okafor and Orjinta, 2013). Apparently, this increase is as a result of the Lacuna created by the 1999 constitution as amended. The constitution did not specify the term of an elected Local Government council. The governors then capitalized on these loopholes and turned the Local Governments into avenues for settling their loyalists. Section 7(1) of the 1999 constitution states that 'the system of the Local Government by democratically elected government council is under this constitution guaranteed, and accordingly, the government of

every state should, subject to section of this constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and function of such councils'. Similarly, section 1(2) also states that "the Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the government of Nigeria or any part thereof except in accordance with the provisions of this constitution". Subsection 3 of the constitution emphatically summarized it by stating it inter-alia, "If any other law is inconsistent with the provisions of this constitution, this constitution shall prevail, and that other law shall to the extent of inconsistency be void.

Notwithstanding, the un-constitutionality of the Caretaker Committees, what is worrisome however, is the reason many State Government has resorted to this practice as a panacea to rural development in Nigeria. It is assumed that in a democracy, leaders should be products of the choice of the people but that is not the case in this circumstance. Abbas and Ahmad (2012) emphasized that the situation has gotten so embarrassing that even where elections have been conducted, governors may deliberately force the tenures of Local Government chairman to lapse early, so as to pave way for committees to work towards delivering the votes of their local government to the ruling party at any point in time. Okafor and Orjinta (2013) supported the above and maintained that the nature of party politics played by state governors at the local government level, in order to maintain power, violates democratic principles. This, he said hinders the government from performing their functions, thereby destroying effective performance and development from its base. Also Aluko (2010) argued that a serious point against nominated committees of management particularly in a civilian regime is that the government in power may misuse the system to keep its supporters indefinitely in control of the local government. This is to frustrate the opposition parties and use the interregnum to strengthen its party organization at the grassroots through patronage which is provided by local governments in the form of contracts, job orders, junior staff appointments and promotions and such appointments touch sensitive positions.

Despite the foregoing, caretaker committee system is seen as a way in which a sitting government, especially a state government selects and appoints individuals, in most cases, of the same political parties, to manage the affairs of the local government. Caretaker committee system, to some people, is a corrupt practice in its totality, to others, it's antithetical to constitutional provision and to that extent, should not be encouraged in any form. To a few persons, it is good because it has helped the leading parties in various states to keep their strength at the local units intact. For example, the general elections of 2003 in Nigeria ended the tenures of the second democratic transition in Nigeria from 1999 – 2003. The 2003 general elections were massively rigged in all the states in Nigeria including Anambra. Dr. Chris Ngige who became the favoured candidate, managed the affairs of the state from 2003 – 2006, until he was removed from the office by the federal court of Appeal Enugu, having lost at the election Tribunal. Dr. Chris Ngige, within the three years he spent in office never conducted local government election and that continued within the three years he spent in office never conducted local government election till the period Mr. Peter Obi came on board on March 7th, 2006.

### **Conclusion**

This paper examined crucial issues that hinder the full impact of inter-governmental relations on local government administration in Nigeria. The local government as it were, is the third tier of government that is supposed be the closest to the grassroots people. This paper portrays the fact that the functions of local government have been hijacked and abused by other levels of government which in turn affects the delivery of social services to the people at the grassroots.

Inter-governmental relations as it is expressed in the federal system of government, has not really showcased the needed interactions, interplay, cooperation, bargaining and negotiation processes which the local government ought to enjoy among other tiers of government.

### **Recommendations**

The following recommendations have been offered:

The National assembly should grant full autonomy to the local government in Nigeria;

Effort should be made to ensure that all tiers of government adhere to fiscal transparency, accountability and constitutional provisions on fiscal relations;

Efforts should be made to ensure a radical review of the funding of the local government in the constitution;

The Federal government should ensure that all the stakeholders are represented in fiscal federalism that would be permanent;

Local government should be given some degree of financial autonomy through the restructuring of the taxation powers; and

A National fiscal commission should be established to enhance inter-governmental relationship and understanding in such a way that conducive dialogue is made between federal, state and local government actors.

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