

Are-Thinking Legislative Performance for Third Tier Governance in Nigeria: Challenges and Options

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Abstract: Political arrangement in Nigeria recognised three tiers: Federal, State and Local Government. Each tier operates presidential system of executive, legislative and judiciary. Legislative arm is a vital organ of democracy through which citizens participate in governance. This article focuses on the performance and challenges of legislative arm at the third tier level. We adopted qualitative method and descriptive analysis of secondary data. Our findings revealed challenges such as, lack of transparency by State Electoral body, weak constitutional provisions, sweeping powers of the state governors and so on. We recommended true federalism, more constitutional powers and so on.

Key words: Legislature • Third Tier Level • Governance in Nigeria • Re-Thinking Options

INTRODUCTION

Governance and politics at the grassroots level in Nigeria did not come with the attainment of nationhood in 1960; neither was it the handiwork of colonial masters, [1-4]. Local governments have always been an integral part of the various societies and human communities that became known as Nigeria by proclamation of Sir Frederick Lugard in 1914 [5].

Local government administration in Nigeria and across the globe is one of man's oldest institutions. The earliest form of local governments' administration existed in the form of clan and village meetings. Democracy itself originated and developed along the lines of local governance initiative in the ancient Greek City States. It is important to note that in other parts of the world, local governance was developed along the people's culture and expectations and the system was tied to the norms and practices of the people [6]. In Nigeria, the local government system operates within the "presidential model". The Chairman of the LGA is expected to be directly elected by eligible voters in the local government area and governs in collaboration with the legislative arm of the local government. Local council members are expected to be elected from single member

wards (i.e. districts). The term of both the chairman and council of the LGAs is currently three years, but varies from state to state, depending on what has been legislated by the State House of Assembly [7]; FRN, 1999 Constitution.

[8-11] averred that Nigeria's federalism is a constitutional arrangement with three tiers of government: Federal, State and Local governments. These tiers of government have functions which are to some extent, independent and clearly specified in the 1999 constitution of the Federal Republic of Nigeria (Fourth Schedule of 1999 Constitution of the Federal Republic of Nigeria). Local or grassroots government is a medium for political mobilization that provides efficient service delivery to local inhabitant.

Local Government refers to the government at the grassroot level, recognized by law, having local representative and has power to enforce tax and extract labour within a specific jurisdiction for the purpose of efficient service delivery and political mobilization toward enhancing development [12-14]. In pursuance of the mandate of Local Government, [15] posit that the council needed people who would pilot the affairs recognising the arms of government.

[16-18] observed that the reasons for creation of Local Government in any country includes, but not limited to economic viability, bringing people of the same culture and for socio-political development. Also, [19] posits that the three basic reasons for establishing Local Government in Nigeria are: To develop activities and make appropriate services responsive to local wishes and initiatives by developing such services in local representative's governmental bodies, to bring the model of democratic self-governance and facilitate the leadership potential of Nigerians on local levels and finally to gather human and material resources and involve them in their local government. Presently, Nigeria is divided into 36 states with a federal capital territory. These states are also subdivided into 774 local government areas. These areas reflect the local development of the Nigerian federative system; the adoption of this federative system contributed to the distribution of authority to the local level.

The provisions of 1999 constitution formed the institutional framework for local government system in Nigeria. It states "the government of every state shall, subject to the Section 8 of this constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils" (Federal Republic of Nigeria Constitution, 1999). The Constitution ensures that Local Governments consolidate the tripartite system of government (made up of executive, legislature and judiciary) at the grassroots level. Executive powers are vested in the chairman, vice-chairman, supervisor or supervisory councillors, as well as the structure of local government bureaucracy. The legislative functions are meant to be performed by the councillors, who represent the wards which make up the Local Government Area. The judiciary on the other hand, is streamlined along with the federal and state government in order to avail itself of the judicial process available to it [20].

In all human organizations such as the local government councils, there is every need for the existence of rules that will guide and condition the behaviour of individuals within the council areas. Thus, the legislature as an important organ of government is charged with the primary responsibility of making laws for any society including local governments in practice of presidential system, legislators generally are elected body charged with the primary responsibility of formulating the laws and LG is not an exception hence they make laws that govern the council areas. Although, local government legislatures in Nigeria has the primary responsibility of rule-making; they nevertheless perform other oversight functions.

The role of local government legislatures otherwise known as Councillors is a legislative one. They legislate on totality of issues that affects the local government council in general and that of their constituents in specific. They (councillors) serve as the mouth-piece of the lengths and breadths of the council and oversees the executives to ensure that the funds and other sundry materials are properly funnelled for the overall of the people at the grassroots. Their role is to make laws for the fluid running of local government area, similar to what the House of Assembly members do at the state level and what the National Assembly members do at the federal level. Councillors represent their ward at the legislative arm of their local government [21].

Local Government system by democratically elected Local Government Councils is guaranteed under the 1999 Nigerian Constitution, section 7. Based on this section 7, the 1999 Nigerian Constitution provides for the functions of a Local Government Council under its Fourth Schedule. This schedule tends to derive mainly from the Basic and Constitutional Transition Provisions (Decree 15 of 1987). [22-24] opines that functions of Local Governments are categorised into exclusive and concurrent list.

The exclusive lists of functions are those functions that are solely performed by Local Governments, while the concurrent list of functions are those that the Local Government performs in collaboration with state and federal governments. The state and/or federal government can also perform these functions on behalf of local governments until local governments are in a position to perform such functions. According to the Fourth Schedule of the 1999 Nigerian Constitution, The main functions of a local government council are as follows: a. The consideration and the making of recommendations to a state commission on economic planning or any similar body on (i). The economic development of the state, particularly in so far as the areas of authority of the council and of the state are affected and (ii) proposals made by the said commission or body; (b). Collection of rates, radio and television licenses; (c). Establishment and maintenance of cemeteries, burial grounds and homes for the destitute or infirm; (d). Licensing of bicycles, trucks (other than mechanically propelled trucks), canoes, wheel barrows and carts; (e). Establishment, maintenance of and regulation of slaughter houses, slaughter slabs, markets, motor parks and public conveniences; (f). Construction and maintenance of roads, streets, street lightings, drains and other public highways, parks, gardens, open spaces, or such public facilities as may be prescribed from time to time by the House of Assembly of a State; (g). Naming of roads and streets and numbering of houses;

(h). Provision and maintenance of public conveniences, sewage and refuse disposal; (i). Registration of all births, deaths and marriages; (j). Assessment of privately owned houses or tenements for the purpose of levying such rates as may be prescribed by the House of Assembly of a State; and (k). Control and regulation of: (i). Out-door advertising and hoarding; (ii). Movement and keeping of pets of all description, (iii). Shops and kiosks, (iv). Restaurants, bakeries and other places for sale (v). Laundries and (vi). Licensing, regulation and control of the sale of liquor Under section 2 of the Fourth Schedule, the functions of a local government council shall include participation of such council in the government of a state as respects the following matters:

The provision and maintenance of primary, adult and vocational education; (b). The development of agriculture and natural resources, other than the exploitation of minerals; (c). The provision and maintenance of health services; and (d). Such others functions as may be conferred on a Local Government Council by the House of Assembly of the State [25-27].

The running of local government by undemocratic means such as sole administrator or caretaker committee completely throws away the legislative organ in the local government and consequently denied the people in the grassroot the opportunity of electing their representative and holding them responsible for good governance. Moreover, as [28] argues, the basic foundation for political leadership is served in shape of training provided by local government, particularly for those individuals who intend to further their career in national politics. Undoubtedly, therefore, local democracy provides viable training ground for legislators to avail experiences in politics especially, the mechanism of legislation and oversight. The near absence of legislative politics at the local level is therefore, a denial of the basic training foundation for political leadership that local democracy is meant to provide [29].

Legislatures at the Local Government system in Nigeria serves as a vehicle for rural development. Rural or community development in this sense is seen as a process by which the efforts of the people themselves are united with those of governmental authorities to improve the economic, social and cultural conditions of communities, to integrate these communities into the life of the nation and to enable them to contribute fully to national development, [30].

Despite justifications for the establishment of local government legislative organ and its inevitable importance to the people at the grassroots level, Local Government legislative councils seem not to have justified

the reasons for which it was established to the expectation of residents and citizens, why? This is the main thrust of this article.

The trends in local governance particularly in liberal democracies across the globe is that Ward Councillors, supervisory councillors and council chairmen are no longer the ones setting the agenda and deciding on budgets; it is citizens who take the lead. Citizens through their representatives determine the spending options and what is to be spent on different projects [31-35] asserts that most people are apathetic to local or grassroots governance because they've never heard of the councillor of the ward they live in and they don't see any sign that the councillor is working. So they don't take part in local government elections or have any contact with them. Councillors are mostly anonymous in the local government areas that they serve. They're scarcely on the ground to help when there's a problem or to respond to the needs of the people. So their performance is often very intangible in the eyes of the people. A vivid instance was captured in Lagos state, where the communities have resorted to self-help approach. Substantial number of people have never heard of the councillor of the ward they live in and they don't see any signs that their councillors are working. To make up for the inadequacy of the councillor system, communities now have what they called Community Development Association (CDA), made up of landlords and other prominent people in the community. These CDAs meet regularly on issues within their respective communities and how to address them. They also represent the community before the government. So, if the community needs the government to look into something that affects them, the CDA can write to the Local Government or whichever government agency that is concerned with the matter on behalf of the community.

Notwithstanding the pivotal and critical academic, socio-economic and political questions sparked by the abysmal legislative performance at the third tier governance in Nigeria, extant literatures and studies have paid transitory interest to the study of the legislative performance for third tier governance in Nigeria. This study approached this with the following questions: What are the statutory functions of the legislative arm of local government in Nigeria?, Do local government legislative council promote democracy at the grassroots? And what are the challenges and causes of these seemingly conspicuous weaknesses of the legislative arm of local government? Several scholarly works paid less attention to the review of functions of TTL organ with the view to re-thinking them.

This article is presented in four sections. In addition to the introduction, the second section seeks to respond to the question on the statutory functions of third tier legislative organ-TTL organ. The third section harps on the second research question on the role of TTL organ in promoting democracy at the peripherals in Nigeria. The next section seeks to know the challenges of TTL organ in Nigeria. In the final section we concluded and made recommendations.

Review of Related Literature: Several studies have been carried out on the performance of third tier governance in Nigeria. [7] carried out a study on the legislature and representative democracy in the local government system of Nigeria's fourth republic. They study employed qualitative method in carrying out its investigations. Hence, a documentary method of data collections was adopted while content analysis was used to analyse the study. Findings from the study unveil the near absence of local government legislative organ which is the vehicle of social engineering and democratic consolidation. The study among other things recommends that institutional review of local government elections is imperative for local government autonomy in the country, state government excessive control of local government councils in Nigeria should be relaxed. However, the study was not rested on any theoretical framework of analysis.

Also, [9], investigated on Local Governments in Nigeria: Relevance and Effectiveness in Poverty Reduction and Economic Development. The study adopts qualitative methods in carrying out its investigation while content analysis was utilized for data analysis. The study made the following findings as factors militating against the effectiveness of local governments in Nigeria; Low technical and managerial capacities and skills, Lack of autonomy and undue interference by higher political authorities, Corruption and lack of monitoring and evaluation amongst others. It recommends that the effectiveness of local governments in Nigeria can only be attained by constitutional and institutional reforms, empowerment and strengthening of civil society, etc.

Similarly, [13] studied the role of local government in grassroots development and the attainment of the Millennium Development Goals. They study adopted qualitative method and documentary methods of data collection. The findings unveiled that the problem of local government among other things includes: lack of local plans programming capacity, unqualified, inexperienced and unskilled staff and inadequate models of good

governance [4] recommends for the establishment of city-to-city and Inter-Local Governments Exchanges to share Millennium Development Goals themes such as maternal health, primary education and shelter for the poor, combating HIV-AIDS, Sanitation, safe drinking water, feeding the hungry, Mobilise and empower rural women and youth in self-generating and small-scale development projects. Through this they can afford to feed themselves and their families and educate the local populace through the media as well as regular meetings of the local and village assemblies.

Methodology: This study was approached from the perspective of participatory theory traced to an Athenian leader Solon in the 8th century. The proponents of this theory are Oscar Wilde, Emma Goldman and James S. Fishkin, etc. (Wikipedia). This theory holds that local governments exist to bring about democracy and to afford the citizens the opportunities for political participation, training in the art of self-government and for political education and socialization [13, 14]. The concept of local government involves a philosophical commitment to democratic participation in the politics and governing process at the grassroots level. In essence, local government does not only offer opportunities for political participation but constitutes a training base for state or national political participation.

The theory is very apt for the study as it graphically captures the essence and focus of the study. Participation is done through the elected representative (councillors) of the various wards that make decisions on behalf of the constituents and with the expressed or implied approval of the community. The decisions made thus have binding effect upon the whole community that is represented. The assembly of elected councillors are the mouthpiece of the grassroots because in a representative democracy, the legislature is seen as the representative of the wishes, expectation and aspiration of the people.

Method: The study adopted descriptive survey relying on observation and secondary sources method. The method principally permits us to respond to our research questions by presenting documented views on this in order to discover the gap and make recommendations. The study adopts documentary method of data collection; documentary method was used to obtain in-depth information and concept clarification so as to facilitate data instrument and designs [17]. In other words, we extracted our data from secondary sources which include; books, journal articles, periodicals, official documents,

government gazettes, conference papers and other published and unpublished research works which dealt with the issues under interrogation. To analyse the data, being a non-experimental research, the use of qualitative descriptive analysis was employed to analyse the data that we generated from our sources in order to appraise the performance and challenges of legislative arm at third tier level with a view to re-thinking options.

Documentary Presentations: The Statutory Functions of Local Government Legislative Arm In Nigeria:

Legislative arm of local government council is composed of the leader of the council and other councillors. Legislative powers vested in the local government council are exercised through the bye-laws passed by its Legislature and assented to by the Chairman. Functions of legislature in local government include: Law making, Screening and confirmation of the nominations of the chairman of the local government, Debating, approving and amending the annual budget of the local government, Vetting and monitoring the implementation of projects and programmes in the annual budget of the Local Government and Examining and debating the monthly statement of income and expenditure rendered to it by the chairman of the Local Government. Others include, Advising, consulting and liaising with the Chairman of council and performing such other functions that may be assigned to it from time to time by an edict or law of the state in which it is situated [19-21].

The Legislature makes bye-laws such as to preside and determine matters on which a Local Government Council is expressly empowered to enact bye-laws as contained in section 1 (a), (b) of the fourth schedule of the 1999 Constitution under the exclusive list. The concurrent list of matters on which both a Local Government council and the State Assembly have powers to legislate are in section 2 (a) (b) of the Fourth Schedule. Legislatures are as well expected to make resolutions and approval.

The council exercises its powers through resolutions and approval in relation to individual or specific cases. That is, a resolution to remove the Chairman or Leader of the council by a two third majority. LG legislatures also perform the function of screening and confirmation of the nominations of the Chairman of the Local Government by a simple majority of the members.

Legislative functions are performed by the Councilors elected from single member wards to represent the wards which make up the Local Government Area. Councilors elect leaders among themselves to direct the business on

issues affecting the council area similar to what is obtainable at the Federal and State level, i.e., the National and State Assemblies. The term of both the chairman and councilors of the LGAs is currently three years, but varies from state to state, depending on what has been legislated by the State House of Assembly [9, 10].

Fundamentally, extant literatures and documents hold that the emergence of legislative arm at the local government is traced to the 1976 Local Government reform [23-25] holds that the 1976 Local Government reform empowered Local Government as a multi-purpose single tier government with devolutionary status, charged with the responsibility of developing the rural area and the people therein through encouraging participatory democracy, mobilizing rural development and effective two-ways channel of communication. The reform brought for the first time in the history of Nigeria a unified local government system with defined functions and structure to achieve democratic governance irrespective of the state in Nigeria. Consequently, 301 Local Governments were created for the first time in Nigeria to exercise democratic activities at the local level and the provision for elections of the political actors of the local government through secret ballot system on a non-party basis came to the fore to give hope for participatory democracy of the local people in politics of Nigeria [31-33]. Structurally, [28] opines that the reform provided for the political control of the local government to be vested on the council and exercised through the councillors known as the supervisory councillors. This is a step towards political development and democratic growth of the local government in Nigeria [21] averred that the reformed local government resulted in uniform structure throughout the country. Provisions are made for Chairmen, elected and nominated Councillors, fixed number of committees with Finance and General Purposes Committee serving as the cabinet of the Local Government.

The legislature occupies a key position in the machinery of government [23] and as the people's branch with the singular purpose of articulating and expressing the collective will of the people [2, 3]. As an organ of government, it is the principal forum for citizens' representation and the preeminent medium in which people seek to articulate their interest through their representatives and to see that the government is carried on in accordance with their wishes [15, 16]. The fundamental of local government legislative arm to democratic government is noted by [4] when he argued that without local government legislative arm, it is not possible to consider any political system to be complete

and entirely democratic at the grassroots level. In fact, localis identified to be one of the most consistent institutional features of democracies around the world. This position was upheld by [20] who argues that the concept of local government involves a philosophical commitment to democratic participation in the governing process at the grassroots level. This is because democracy must be rooted in functioning local, participatory self-governance institutions [25]. This is in congruent with the view of [27] when he explains local government as local democratic governing unit within a country, which are subordinate members of the government vested with prescribed, controlled governmental powers and sources of income to render specific local services and to develop, control and regulate the geographic, social and economic environment of defined local area.

The Role of Local Government Legislative Council in Promoting Democratization Project in Nigeria:

The basic philosophy surrounding the existence of Local Government in Nigeria, among others, is the need to foster the existence of democratic self-government [29]. According to the 1976 local government reform, the government at local level of Nigeria is to be exercised through representative council established by law to exercise specific powers within defined areas and its officials are to be elected at specified period of time (Guidelines for Local Government Reforms [23, 24]. This democratic imperative of local government system has been amplified in the successive constitutions of the country. The 1999 Constitution of the Federal Republic of Nigeria upon which the Fourth Republic anchors provides in Section 7 that; the system of local government by democratically elected government councils is under this constitution guaranteed and accordingly, the government of every state shall, subject to Section 8 of this constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils. The implication of this provision is the recognition of local government system in Nigeria as a legal entity distinct from the state and federal government and administered by democratically elected officials with specific array of autonomous powers to perform a range of functions, plan, formulate and execute its own policies, programmes and projects and its town rules and regulations as deemed for its local needs assigned it by law [18, 19]. The 1999 Constitution also preserves the tripartite system of

government, as earlier stated, within the presidential model, at the grassroots level - the executive, the legislature and the judiciary [14]. The executive is vested in the chairman, vice-chairman, supervisor or supervisory councilors and the whole machinery of local government bureaucracy. The Chairman as the Chief Executive is conferred with the power of policy implementation. He is directly elected by eligible voters in the local government area and governs in collaboration with the legislative arm of the local government. The legislative functions on the other hand are meant to be performed by the Councilors elected from single member wards to represent the wards which make up the Local Government Area. The Councilors elect leaders among themselves to direct the business on issues affecting the council area similar to what is obtainable at the Federal and State level, i.e., the National and State Assemblies. The judiciary is streamlined with the federal and state and local government can avail itself of the judicial process available to it. From this, there must be periodic elections into the councils of these local governments as is the case with the federal and states' political institutions [5]. This becomes imperative as local governments are seen as training grounds for higher level of political responsibilities in the federation [7]. Section 7(6) of the 1999 Constitution provides for a democratically elected local government council. While the Constitution provides for a four year tenure for Federal and State political office holders, it is however silent on the tenure of the local government political office holders. As noted by [9] the idea behind creation of local government in a democratic society is to make people at the grassroots level to participate in government. This participation is done through the elected representative of the people who make decisions on behalf of and with the expressed or implied approval of the community. The decisions made thus have a binding effect upon the whole community that is represented. Going by the organizational framework, local government system in Nigeria, particularly as contained in the 1999 Constitution, ought to offer a near-perfect vehicle for the expression of popular will. Elected Chairman is however, to spearhead implementation of policies that is endorsed by the legislatures. Furthermore, an important element of local government administration is sovereignty mostly referred to as autonomy which is the ability of the Local Government to take some political, economic and social decisions without recourse to any of the two superstructures - State and Federal Governments [8].

Challenges to Effective Legislative Performance at the Third Tier Level: The following are the fundamental factors that have gravely affected the legislative performance at the grassroots level of governance;

Exercise of Unlimited Jurisdiction by the State Governments: The 1999 Constitution of Nigeria as amended saddles state governments with the power to organize elections into local governments through the State Independent Electoral Commission (SIEC) established by such state. The state governor appoints the chairpersons and commissioners of SIEC [3]. This act has made the SIEC institutionally weak and susceptible to the appointing authority thus, in most cases, conducts of local government elections do not satisfy the democratic will of the local people [11, 12]. Consequential upon this is the fact that the members of legislature who emerges from this undemocratic process would not be true representatives of the people. This is in consonance with [7, 8] position, that in most cases, the candidates are handpicked by the state governor, imposed on the party, with state machinery deployed to ensure they emerge victorious at the polls. Arguably, the legislative assemblies at the local government level of Nigeria obviously appeared lacking in capacity and skills to perform their oversight function because they were not elected in a free and fair election. For this reason, their tenures are often wasted on parochial issues at the expense of the masses [11, 12]. The implication of this is that activities of governments and the implementation of policies and programmes would not be investigated to ascertain the extent to which they represented the peoples' interests. State's government subjugation incarcerated the Councillors and hence hindered them from effectively performing its oversight function through scrutiny and investigations. A concomitant of this is the displacement of good governance based on transparency and accountability at the local government level due to the absence of representative democracy.

Absence of Democratic Leadership at the Grassroots: In many circumstances, State governments appoint Local Chief Executives under different appellations such as Sole Administrator, Council Manager System, Care-taker Committee, Transition Committee and Electoral College or Cabinet System to oversee the affairs of the councils [7]; [8-10]. It is worthy to note, that out of 36 States in Nigeria, very few states, among which are Enugu, Rivers, Jigawa and Lagos, have their local governments run by duly elected representatives [23, 24]. Anambra state for

instance, has not conducted election in its LGAs since the return of democracy in 1999 [13]. Similarly, the successive governors in Imo state, have preferred using appointees to run local governments as against constitutional provision for elected officers [5].

In spite of the resolution of the National Assembly that states should conduct elections for the administration of local governments, the last elected local government administration in Abia and Bauchi States was in 2008 and in 2010, the State governments appointed a caretaker committees with a renewable tenure based on the Governors' satisfaction with their performance and has since been using the system to run the councils [16]; [17]. Local councils in Osun and Oyo States have not had more than four years of elected councils since the return to civil rule in 1999, [28]. The running of local government by undemocratic means such as sole administrator or caretaker committee completely throws away the legislative organ in the local government and consequently denied the people in the grassroot the opportunity of electing their representative. Moreover, as [1] argues, the basic foundation for political leadership is served in shape of training provided by local government, particularly for those individuals who intend to further prosper their career in national politics. Undoubtedly, therefore, local democracy provides viable training ground for legislators to gather experiences in politics especially, the mechanism of legislation and oversight. The near absence of legislative politics at the local level is therefore, a denial of the basic training foundation for political leadership that local democracy is meant to provide.

Inadequate/Unfavourable Constitutional Provisions: The basic concerns, in respect of the ability of local governments to perform development functions, particularly in federal systems like Nigeria revolves around the nature of the relationship between the federal, state and local government as to enable them operate as true units of self (autonomous) government [3]. Usually, the problem in this respect revolves around the extent to which the local governments are regarded truly as the third order of the political structure or as mere parts of the state governments and the nature of distribution of powers and resources among the three tiers of government. In Nigeria, the relevant constitutional provisions in respect of these relationships appear inadequate and unfavourable to the local government. For instance, the 1999 constitution of Nigeria did not adequately provide for the financial autonomy of the

local governments as it subordinates them to the states through the provision, in section 162, paragraph 6, for the establishment and operation of State Local Government Joint Account. This provision does not allow for the direct funding of the local government from the federation account and various research findings have shown that state governments manipulate this constitutional provision to keep the local governments as their appendages and, in large measures, siphon the funds meant for them [4-6]. This interference in the local government financial autonomy reasonably accounts for their inability to initiate and execute development programs or projects. This is understandable in view of the fact that local governments in Nigeria rely on the statutory allocation from the federation account for between 90 – 95 percent of their financial expenditures every year [34].

CONCLUSION AND RECOMMENDATION

It is quite incontrovertible that system of local government by democratically elected government councils has been recognized as indispensable for the Presidential system of Nigeria's plural society by bringing the dividends of democracy nearer to the people and facilitating sustainable development of the country. Local democracy and its dividends however, cannot be entrenched when the legislative organ in the local government system which is the vehicle of social engineering and democratic consolidation is completely absent. Regrettably however, despite the whole local government reform, this level of government has not been able to achieve its aim of grassroot democracy and sustainable development in Nigeria. The near absence of democratically elected local government councils and invariably the absence of the legislative organ in the Nigeria's local governments particularly the Fourth Republic, denies the people in the grassroots the representative democracy essential for the modern society. The legislature is indispensable to local governance and its effectiveness is central to democracy and sustainable development at the grassroot level in Nigeria.

The Study However, Recommends:

- State Independent Electoral Commission (SIEC) should be made independent of the state governments to enable it conduct free and fair elections for the local government councils.

- There is imminent need to constitutionally empower TTL organ to take up more responsibilities in the management of LGs in Nigeria.
- Local government councils should be granted constitutional autonomy by discontinuing the State-Local Government Joint Account as well as such other things that subjugate local government to the descriptions of state or federal government.
- Continuous training of local government legislative arm in the country. Institutes such as the National Institute for Legislative Studies should be granted the mandate to train the legislatures. This will enhance legislative professionalism of local government councilors in the country.
- The national Assembly should enact a law establishing an Economic Planning Board for Local Government Council in Nigeria. as specified by Section 7 (2) of the 1999 Constitution of Nigeria.
- A vibrant civil society should be prioritized if democracy and sustainable development must be seen to take place at the grassroot in Nigeria.
- Constant voter education has to be carried so as to educate the electorates on their rights from the LG legislatures.
- Regular town-hall meeting should be organized for councilors in their wards so that residents can engage them in interaction.

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