

## The Evolution of a Democratic Local Government System in Nigeria

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**ABSTRACT** As a tier of government that is closet to the people, local government ought to become the foundation for democratic practices. Rather for this level of government to exercise independence in power and authority, an examination of the history of its existence shows that what we have is rather Local Administration. This is despite the fact that virtually all the regimes that have come to power have come up with one form of Administrative Reform or the other, to ensure that autonomy is granted the local governments. For a democratic local government to exist in Nigeria, the central government should become less involved in their creation and in their management. Especially, the consent of the people should determine the evolvement of local institutions rather than for people with different background to be clustered together as one.

### BACKGROUND, CONTENTIONS AND CONCEPTS

The context of this body of inquest is rather very restrictive and fundamentally thought provoking. Nigeria as a nation-state is a paradox ensconced in an ambivalent paradigm.

Local Government (Administration) have been part of the process of government in Nigeria, right through the history of the various regimes that have come to power. But a democratic local government in an obdurate system unperturbed by the assailabilities of positive changes taking place throughout the world, is a subject that needs careful examination.

Democracy is unpretentious. It is a positive force deriving from trust, shared responsibilities and the acts of give and take. In the eyes of Thomas Jefferson (Saul, 1938:19) – a one time American President, democracy can be spoken about only when nations are “under governments where-in the will of every one has a just influence”.

Aristotle in the book, ‘Politics’, noticed that democracy thrives in a situation where power is

held by the mass of the people. The power is in turn collectively (consent) entrusted to a group of people chosen as leaders to be exercised on behalf of the people in a kind of social contract. In this form of arrangement “the power of control belongs to the whole people...” (Stewart, 1961:12).

The bottom-line of all these contentions is that democracy is deeply embedded in that type of government that belongs to the people, works for the people and entirely depends on the will of the people. In this light, her every action must be a response to the wishes, aspirations and desires of the people. John Lock (Cranston, 1981:72) in his government by consent asserted that:

The whole trust, power and authority of the civil ruler is vested in him for no other purpose but to be made use of for the good, preservation, and peace of men in that society over which he is set...

Knowing that this position of trust is revocable, a leader according to Cranston (1981:76) “betrayed his trust when he forsook government according to settled processes of law in favour of inconstant, uncertain, unknown and arbitrary government”. From the foregoing, it becomes only expedient to accept that democracy contains the basic ingredients of checks and balances, equity, consistency and egalitarianism in leadership and in followership.

### LOCAL GOVERNMENT

Local government is primarily recognized as the branch of government that is closest to the people. It is the medium through which the people actively participate in grassroots government and continue to enjoy the provision of services.

The Nigerian Local Government Reform (1976:1) gave a working definition of local

government to be "Government at local level exercised through representative councils established by law to exercise specific powers within defined areas".

The Constitution of Nigeria (1979:5) recognized local governments as "The system of Local Government by democratically elected local government councils...". Amongst some of the aims and functions prescribed for local governments, the 1976 reform stated that local government are:

(a) To make appropriate services and development activities responsive to local wishes and initiatives by devolving or delegating them to local representative bodies.

(b) To facilitate the exercise of democratic self-government close to the local levels of our society and to encourage initiatives and leadership potentials (1976:1).

In 1989, another constitution was drawn up in which chapter eight gave all that concerned the existence of local governments, thus giving greater impetus to autonomy as a necessary parameter for the enthronement of democracy. However, the 1989 Constitution fell short of making local governments a third tier of government by not specifically pronouncing the severing of their attachment as state government organs. It was the presidentialization of local governments in early May, 1991 that introduced the doctrine of separation of powers, together with the Chairman becoming the Chief Executive and accounting officer as in the case with the Governors and the executive president, that we can now say that autonomy was granted the local government councils. In this respect, one can counsel on democracy and the rule of law. But unfortunately the experiment could not be sustained by the Ibrahim Babangida's regime. That massive scale of national pretension was eventually stopped by General Sanni Abacha who succeeded in dismantling all the democratic structures put in place by his predecessor.

It has become an irony of fate in Nigeria that whenever her mammoth problems become identified and beautiful propositions offered as necessary panaceas, the human element ends up bungling the whole process. Institutions are not erected to run themselves, they are put in place as a recognition of the need for men to conduct their affairs in an orderly and civilized manner.

Essentially, the idea for local governments centres around the need to bring development to the grassroots and to establish a base where the people feel the impact of government and participate in the process of governance. According to the Research group on Local Institutions and National Development (1991:17),

Local Governments all over the world exist to achieve certain societal values... values include political values (training in democracy, political participation or citizenship and new promotion of liberty by acting as a check on arbitrariness of the central government)...

Talking practically about the essence of democracy in the process of governance, the bases for local government radiates from the need for government to derive from the people, elect her own representatives and exercise independence of authority that is in constitutional arrangement subservient to the national government. In the views of Chief Obafemi Awolowo (1952), local government is a system of government where-in local councils make, accepts responsibility for, and implement their own decisions subject only to such control as may be exercised by the people through their own regional government.

The general agreement of the already expressed contentions were clearly accepted by the 1976 reform, the 1979 and 1989 Constitutions respectively and other reforms that have come to pass. In these documents, a clear demarcation has come to light between what is local government and what is local administration. But instead of the polity to have experienced what local government actually is, she has experienced rather what can be called local administration. As it will be shown from the body of the work, Nigeria experienced local government during the pre-colonial era. Since independence, the nation has only minimally enjoyed brief periods of local government. It was therefore the 1976 reform which initially recognized this problem and came out with "...the liberal democratic principle of local government organisation over the other principle of indirect rule and administrative expediency..." (Research group on local institutions: 16).

The point being emphasized is that; for as much as local government is desired and cherished by the institutional demands for the

country, the wielders of the instruments of authority in the country have not come to grasp with the fact that "The very object of having local representation is in order that those who have an interest in common may manage that joint interest by themselves" (Mill, 1912). It is only with this realization that there can be a democratic local government in Nigeria.

### **Local Government in Pre-colonial Era**

The present construct that is Nigeria is an amalgamation of over two hundred and eighty ethnic nationalities, brought under one umbrella through the ambition of Britain and the economic rivalry amongst the colonial powers.

The North predominated by Islam used its religion to entrench centralized leadership reminiscence of the sultanate which Coleman (1986:39) referred to as "...a rigid class hierarchy" existed together with "...habits and attitudes of political deference and subordination". In the original societies that now formed Nigeria, traditional institutions held sway. Natural rulers were the over-lords while their subjects were subordinates. European slave traders therefore used these established institutions in what later became known as Native Authorities to carry out their slave raid and economic exploitation of the people.

In the west, the old Oyo Empire ruled over the Yoruba race. This block of United tribesmen was according to Coleman (1986:30) "...split into four states (Oyo, Egba, Ketu and Ijebu), and by 1850, as a result of the Fulani conquest of Ilorin, four new states emerged". Continuing, Coleman said the Alafin of Oyo and his council ruled over the Yoruba Kingdoms. The Benin kingdom also had a centralized state system with the Oba of Benin together with his council, lording it over his subjects.

In the Ibo speaking nations, nations, the attitude of individualistic temperament did not permit for large groupings of people for the purpose of administration. Instead an extended family united for the sake of administration. According to James Coleman (1986:45), "the largest political unit has normally been the village group".

The point being established is that no matter where we may want to traverse, there were pockets of traditional administrative setups fashioned along the line of a king, Emir, Oba or

head of a family, lording it over his subjects, with the use of traditional councils in large communities. The beauty of this practice was that these traditional overlords exercised their powers only after seeking the consent of the people.

### **Colonial Native Administration**

With the acquisition of Nigeria by Britain first through slave trade and later through commerce, the colonial country used her bureaucracy supported by her army and police to retain domination over the territory of Nigeria. There now evolved a British superstructure designed to co-opt the existing native (traditional) authorities in what became known as Native administration. "The superstructure was with a few exceptions, all British; the mass base was all African" (Coleman, 1986:52).

Administratively, this device was cheaper for the colonialist to maintain as the existing institutions carried along from where the British met them, except that allegiance now shifted. Rather than for the natural rulers to remain as traditional overlords over their territory, their traditional powers were ossified by their being rather used as instruments of Suzerain by the British. That was why indirect rule succeeded most in territories where traditional institutions were most better organized and respected. Starting from the North, then the West and Benin Kingdoms before East in that order. That is why an English type local government was first introduced in the Eastern Region (Coleman, 1986:54) in 1951, due essentially to the absence of a grand indigenous design.

As development was taking place and a population was expanding, disgruntled or displeased subjects began to agitate for their own administrative territories. Of course, they got what they asked for from the British as a means of placating the subjects and getting more allegiance. The principal aim of Britain for doing this was as much as not for inculcating new techniques of administration but to be able to gain deeper penetration into the hinterland to prospect for raw materials. Therefore, it was much better to have administrative outlets that will help facilitate their exploits and carry out the process of Native Administration. This reason can be held accountable for why Native Authority Police and law and other thrived in

almost all the administrative units of the protectorates while the superstructure was equally controlled and supervised by a British soldier in the person of Lord Lugard.

Two points should be noted here. First, the process of conquest was through sheer brute force. Again, the policies of administration and exploitation were not any different. Stripped of all niceties, traditional native authorities wielded power for the sake of perpetrating colonial rule because in the words of Coleman "the government's economic and fiscal policies were powerful counter-weights in the direction of unity".

Talking about liberalism in governance, Local Authorities began to get a respite for life that was however short-lived only from the 1950's. Think about when rail-roads were built to criss-cross the country, when the seaports were developed to facilitate raw materials shipment abroad, and when the British finally decided to permit some degree of self-rule at the local level by emphasizing the participation of educated elites/Nationalists. It becomes clear and as attested to by Cowan (1958:30) that colonial policy in Africa "were almost completely regulatory, not executive".

Dr. Nnamdi Azikwe (1951:76) for example charged that "...the Ibo will not accept leadership whose choice is not of the people, but imposed from without...". As a result of all these nationalist fermentations stoutly opposing the continuous strangulation of colonial rule, "in the year 1950-55, the first largely elected local government councils based on the British model emerged..." (Orewa and Adewumi, 1983). A major kernel to the death of this arrangement was the attitude of traditional rulers who have hitherto enjoyed unquestioned powers at the expense of their people and to the benefit of the defacto colonial ruler. In the North, the Enirs remained in real control with the active connivance of Portfolio Councilors. Also, the process of election rather than selection did not go down well with the traditional rulers. Under such tense atmosphere, obviously local administration began to suffer.

According to Ayoade (1995:19), the indirect rule system was such that policies were transmitted to the traditional rulers who hardly understood the logic and rationale of the policies. Because of this practice, Ayoade contented that "...there was no local government in the colonial

period that what existed was local administration...". And in all intent and purposes, local administration is undemocratic in design and in function since the people were precluded from direct participation.

The journey for self government gathered greater momentum in the 1950's and especially when parliamentary democracy was introduced into Nigeria by the Macpherson Constitution in 1951. The local councils got a law which created five types of Native Authorities. These were status of Chiefs and Council, the Chief-in-Council, the federated native authorities, county councils and the Municipal Councils. In the Western Region for example, "the local government law was comprehensively reviewed and all previous amendments were consolidated in a new legislation" (Gboyega, 1987:47). This was in the year 1957.

### **Post Colonial Era Local Government**

Towards the end of the 1950's, local governments ran into very serious turbulent waters. This was inspite of the spate of reforms that took place in all the regions during this period. For one, the councils were becoming cash strapped thereby, being unable to carry out their statutory duties. This led to the creation of the local government service Board in the Western and Eastern regions. Again, the vicissitudes that have become a tradition of Nigeria's politics began to rear its head. Local Government became ineffectual because there was static grants from regional governments and fixed rates imposed on local governments. Gboyega (1987:49) observed that "The instability in the regional political system between 1962 and 1965 precluded any serious consideration being given to these reports". The nature of politics practiced at that particular point in reference, which incidentally was the bastion of democratic experience (self governance) in Nigeria, fell flat on its face. The incursion of the military into the arena of governance became apparent when it terminated the life of the young first Republic in Nigeria in 1966.

### **The Military and Local Government Before 1976**

The creation of states by the military during Gowon's early days in office saw fundamental

changes taking place in local government. It was even abandoned outright in the Eastern region and rather development administration was seriously considered. The era of Military regime saw the little democratic elements left in the local governments taken flight. The management of local governments now became based strictly on appointments by the state governments and the viability of local governments began to deteriorate alarmingly in the country which led qualified personnel abandoning the place for mediocres to handle. This position is supported by Ayoade (1951:19) who observed that local government more or less became agents of the central government.

### **The Reform of 1976 and Beyond**

Due essentially to the falling morale in local governments, the federal military government in conjunction with the states decided to undertake a national approach to the management of the local governments. The 1976 reform in large part and according to Ayo (1995:2) drew from "...the recommendations provided in the Udoji public service commission's report on local governments". And the outcome was the emergence of a single tier multipurpose and monolithic structure of local governments nation-wide. This document had a lot of democratic promises like the position of elected members in the councils being 75% while the remaining 25% was to be occupied by state government nominees. In addition to the above, the duties and responsibilities of local councils became that of being to levy rates and fees, administer motor parks and health services, law and order, provision and maintenance of roads and markets etc. (Udoji Report, 1974: 2-3)

Most critical of note about the 1976 reform were the provision for a unified service structure in the local governments by each state having a local government service board for the sake of personnel administration. And the position of the federal and state governments given financial contributions to the local governments. For, in as much as the 1976 reform had a lot of bright hopes, its successes and democratic affinities were largely hampered by the hamstrung attitude of government. The regime that initiated the 1976 reform had already announced a date for a return to a democratic rule. It was therefore only proper according to

Gboyega (1987) "...to institutionalize a system of power sharing before handing over political power back to politicians...". As the 1976 reform clearly stated amongst some of the aims and functions of local government was "to facilitate the exercise of democratic self government close to the local levels of our society and to encourage initiative and leadership potential" (1976 Reform: 1).

So long as it can be argued that the 1979 Constitution gave local governments constitutional guarantees, the actors of the second republic "...exploited, compounded and dramatized the shortcomings and loopholes in the system" (Gboyega, 1987: 75). Local governments under politicians of the second republic suffered a lot of debasement. Instead for the politicians to play the veritable bastions of democracy at all levels, they became the harbingers of death for the councils. This was very much the situation nation-wide until the military regime of Buhari/Idiagbon came to power in January 1984.

### **The Buhari/Idiagbon Era**

The regime of Buhari dissolved the management committees put in place by the ousted civilian government and strove to compress the number of local governments that had been overblown by the politicians back to its original 1979 status. In this respect, Sole Administrators or Senior Civil Servants were appointed for the local governments and a 21-member-committee headed by Alhaji Ibrahim Dasuki was constituted to look into the problems of local governments.

However, this Committee did not see anything wrong with the 1976 local government reform aside from operational problems. But the coup of Ibrahim Babangida on August, 1985 scuttled the implementation of the Dasuki Report.

### **The Babangida Era**

Since the overthrow of the first republic, patterns of administration in Nigeria have often reflected the American model. The second republic was almost entirely a federal presidential outfit. But it was the Ibrahim Babangida's transitional programme to full blown presidentialization that gave to the local governments all the paraphernalia of a presidential system of government.

It started with the 1988 Budget Speech in which Ibrahim Babangida spelt out his regime's initiatives towards revitalizing the Nigeria Civil Service. The body of this work is the 1988 civil service reform under the Chairmanship of Professor Adedotun Phillip. The reform itself has it that "the guidelines shall apply to all Ministries/Extra-Ministerial Departments, state civil services and Local Governments..." (The 1988 Reform: 3).

To respect the tier nature in the levels of government and because of the inherent distinctiveness existing between the three levels of government (Federal-State-Local), Professor Humphrey Nwosu was designated to work with this committee on how the implementation guidelines of the civil service can be applied at the local governments service. The Committee's report was very clear on the need for "check and balances" (Technical Committee Report, 1988: 3), at the local level which made the guideline itself to state that "The Chairman of each local government shall be the Chief Executive and accounting officer of the local government provided his role as accounting officer shall exclude signing vouchers and cheques" (Implementation guideline: 3). This provision is an essential element of democracy because it allows for checks and balances.

The regime's point of emphasis was well articulated by Babangida in his independence speech of 1988 when he said that "Local Governments are no longer there to just pay salaries. They are there to ensure collective participation in governance" (Babangida, 1988:22). Continuing in the same vein, he went on to say that "We intend to consolidate the achievements made so far by devolving more responsibilities to the local governments and allowing them some autonomy to function effectively as the third tier of government".

An interesting phenomenon about the Babangida regime is that it erected the best structures about anything that had semblance to true democracy. But only little respect was given to this national objective. Babangida's transition programme saw democracy tickling the fancy of politicians when in the month of December 1990, election was conducted on party basis into local government's executive and legislative positions. These crop of politicians remained in office together with their counterparts who later won elections into the

state legislature, the national assembly and governorship positions respectively.

While the methods used for coming into office was by election, the survival of the structures saw democracy being rubbished by a die hard despot who pretended to be a democrat. How can you speak of autonomy and separation of powers (Presidentialization) at the local government level when the councils themselves are literally tied to the paltry fiscal allocation from the federation account? Should it be autonomy based on spending or that based on sourcing? How can democracy thrive in a situation where duties and responsibilities are statutorily prescribed for the local governments? Example is the 1988 reform which categorically stated that "No local government is allowed to have more than six (6) departments in all".

It should be understood that local governments possess those innate peculiarities that make their functions fall into both political and administrative arrangements. This is unlike the civil service proper whose existence can be separated from politics but also linked to it. In the councils, politics and governance should therefore at every time be a reflection of the demands of the people, instead of its being converted into an outpost of centralized governments.

### **The Transition Years**

For the over five years that General Sanni Abacha spent in power, local government was firmly under the control of the centre. The election conducted at the local level to usher in the 4<sup>th</sup> Republic by General Abdusalami Abubakar was like building a foundation to sustain the superstructure.

It is however painful to observe that true democracy has still not yet become a reality at the local level. This is because the presidential system of government has proven to be too unwieldy at the local level. The apparatus put in place to sustain the system have become fundamentally too overbearing on the system itself. Local Governments, the way they are presently in Nigeria can only survive on a compact political and administrative mechanism that would not serve as a strain on the lean purse of the councils themselves. The institution therefore needs a total re-appraisal that would re-focus the structure and apparatus of

governance at the local level on the pursuit more of grassroots development than the payment of salaries and the feathering of the nest of politicians as it is presently the case.

#### **LOCAL GOVERNMENT, DEMOCRACY AND GENERAL CONCLUSION**

As a fort of the people, democracy at the local government level will help strengthen the democratic ambience of the nation.

It has all been a matter of miscarriage of precepts and ideology. A legacy that has long been in evolution. A norm that has been moulded out from a timid, quaint but pliable system that became roughened by the vagaries of cosmopolitan encounter

When the colonialist arrived the shores of Africa, they meet. with a sleeping closely knit but also complacent Kins system with a lot of regard and pre-disposition for their Kings, heads and gladiators. They lived in their little pickets, governed by mores excercised by a chosen represen-tative who discharged his duties and responsibilities accord-ing to laid down regulations. There was then, already a system of checks and balances as a recalcitrant leader was never tolerated. But with the way and manner the colonial invaders stormed the serene confines of these tribesmen, their (Locals) plumes became soiled.

The colonial fortune hunters came with all forms of tactics aimed at brutalizing and to weaken the psyche of the landowners. In the course of doing this, Local Chieftains gave in, surrendered their enviable positions while the quintessential system became polluted and corrupted by foreign influences. This was the first stage of the loss of sovereignty.

The second stage involved a vain attempt for the local Chieftains to try and win back their lost positions. They were only able to do this by becoming subservient to the new source of power who provided all the necessary weapons to assist further subjugation and repression. It should not be forgotten that one of the primary reasons for the invasion of Africa was for economic exploitation. Whatever means can therefore be deployed to entrench this hegemony was never spared. Indirect rule served as one of the weapons. By implication, the process of exploitation, economic subjugation and depar-ture from a democratic tenent was

aided and abated by the so called natural rulers. With this kind of practice, you can see that democracy as a process of governance now had a bad beginning. And this practically happened from the base of our consideration - the grassroots (Local Government).

The British, who wielded power found an accomplice in the traditional rulers who were not willing to loose grip of power in its entirety. A precedence has therefore been set. Power has become a corrupting agent because it is now seen as a means to an end. Even during the days of nationa-list agitations, traditional rulers saw the elites as the new threat. In the words of Gboyega (1987: 31), "Before colonial rule, the traditional rulers ruled on the advice of the council, and if he chose to behave autocratically, he kept his position for only as long as he was considered tolerable..." According to Obafemi Awolowo, he corroborated the position of Gboyega in the same medium when he said "Today, however, the pristine relationship between the Oba and his people has been altered and become complicated, by the presence of a third party, namely, the British government..."

In concrete terms, Awolowo believed that "the Chiefs in *general* have no minds of their own".

The value with which power is held and used determines the extent of democracy. First it was the traditional rulers collaborating with the British. Then now follows the elites (Nationalist) that wrested power from the British. Their value system for power was not any different from the first culprits. While the British were still there, the class structure in the society was stratified in such a way that, those that can seize and manipulate the instrumentalities of power remained at the top. This was first a problem of ego drive in the minds of Africans, which needed to be sus-tained by material acquisition. The value system has become skewed at the expense of service to the people. The idea now was to seize power, exploit the spoils of office and Lord it over the teeming masses. But in reality, that instrument (power) that has become so maligned belongs to the people. Everything about it should derive from the people. And this can only be done at the grassroots level.

The essence of a democratic local government in Nigeria has always found problem with wanting to assert itself. Anybody acquainted with the scientific logic of development will

accept that the position of Chiefs and traditional rulers at ensuring a democratic local government in Nigeria is not only otiose but also a major developmental clog. They have always been active collaborators with all sorts of regimes rather than being the true custodian of the people's customs and traditions.

In like manner, successive leadership whether civilian or military has been bugged by the spill over effect of colonialism. A situation where the people are coerced rather than consulted. The use of force now holds sway in the process of governance and whatever instruments (Chiefs for example) that can be mobilized to perpetrate this kind of unholy practice is never left to slip.

The processes of policy and decision making by implication is being advocated here to adopt that bottom-up approach (originates from people) rather than the top down system. In this, the people become the forebears of every government action. This modality it is believe is much more rational. Military incursion into politics wears the same cloak of old as they have nothing new to offer. Their position is the worst of two extremes. They are incorrigible and driven by naked lust for power. They subvert the legitimate trust of the state and use the people's power and resources to terrorize them into the state of utter bewilderment.

Some critiques have eulogised the qualities of military leadership at the local government level. Said Gboyega (1987:32) "...the military governments have been more committed to a liberal system of local governments, than the civilian governments have been". Two points comes to mind in the assessment of this statement. First, we should ask ourselves which is more accurate in the Nigerian situation. Do we have to speak of civilian intervention or military intervention into government?

The military have found it much more easier to shoot their way to power and by the nature of their calling, they are very dangerous specimens to trifle with. Almost all the reforms as they affect local government starting from that of 1976 to the present have all been beautifully crafted by the military. The handling of local governments by the military have always been centrist and subordinate rather than for it to be devolutionary and co-ordinate.

The second point is that democracy is a gradual process of learning. You do not copy the tenets of democracy from a different country

and apply them *adinfinitum* to your own peculiar situation. What you do is to adopt the finer parts of these tenets and break them in to suit your particular situation. Our political leaders first have to see power not necessarily as a means to an end but as an end itself. They have to realise that power is an instrument held in trust to which one is accountable to the public.

The problem of democracy at the local governments started with the dislocation of the due process of governance at the local level through the advent of British rule. We now have to go back to the drawing table and ask ourselves whether the present constructs are actually local governments or whether they are more local outpost of the central governments? If we want a truly democratic local government, then the binding forces that created homogeneity, peace and concordance in the days of old, have to be adopted as the delineating yardstick for creating local governments. When this has been achieved, then the consent of the people should predicate the actions of government. By this, one will be working for and protecting what rightly belongs to one instead of this present practice of foisting people of different background into one umbrella.

Governments should become less centralized, since the Nigerian nation incidentally happens to be a federation where the latent principles of unity in diversity, autonomy and co-ordination and the respect of individual rights stands out.

Local Governments should have own sources of revenue and depend less on the other levels of government. Also, development initiatives should depend on the concerned local governments and on their abilities to finance such undertakings. This gesture will encourage healthy rivalry which in the long run would presage a greater multiplier effect to the entire economy.

Finally, we must accept that democracy is a goal, and our peculiar situation encourages co-operative rather than competitive federalism which is located only at the local government level.

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