

## Eroding the Autonomy of Nigerian Local Governments: The Bane of Grass Root Development

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### -----ABSTRACT-----

*This work took a cursory look at the Nigerian Local governments right from 1950, when Nigeria became a federal unit (that is North, West and East) to 1999 when the latest constitution came into being. The main aim of the research was to delve into the reasons why most Nigerian Local Governments remain grossly underdeveloped and not well catered for by their council functionaries using local governments in Ondo State of Nigeria as a case study. Questionnaires were sent out to collect data from the local governments. The data were x-rayed using Chi-square tool. It was discovered that the main reason for the poor performance of the local government which led to under-development of the grass roots was the non-autonomy of the local governments; since they were tied to the apron spring of the State government (who often times are their political god-fathers). This abuse of the provisions in the Constitution, especially by the State government, has brought to the fore-front the question of local government autonomy. The work is divided into five sessions. They are: The Introduction; Theoretical and conceptual Frame work; The bane of Local Government Development; Methodological Approach and finally Summary, Conclusion and Recommendations.*

**KEYWORDS:** *Non-autonomous, Grossly underdeveloped, Nigerian Local governments, The grass roots and Apron spring*

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### I. INTRODUCTION:

Shackleton *et al.*,(2002) [1] are of the opinion that people are now very much interested in the use of resources participation in the Natural and Allocated resources, management of their areas, and that in the last twenty years there had been a total shift in conservation and natural resources management away from the cumbersome state-centered control towards decentralization where local people have a say in control of the local resources. This can be seen as autonomy to the local areas. The Black's Law Dictionary defined Autonomy as the right (and condition) of power of self government. Montahue (1968) defines local government as "government by local bodies, freely elected which while subject to the supremacy of the national (or state) government are endowed in some respect with power, discretion and responsibility which they can exercise without control over their decisions by higher authority" The Guideline for Local Government Reform (FGN, 1976) defines local government as:

"Government at local level exercised through representative councils established by law to exercise specific powers in defined areas. These powers should give the council substantial control over local affairs as well as the staff and institutional and financial power to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and federal government in their areas, and to ensure devolution of functions to these councils and through the active participation of the people and their traditional institutes , that local initiative and responses to local head and conditions are maximized".

All the above definitions could be summarized in Whalen (1976) when he captured the following characteristics as the main features of local government:

- [1] A given territory and population
- [2] An institutional structure for legislative, executive and administrative functions
- [3] A separate legal entity
- [4] A range of powers and functions authorized by delegation from the appropriate central or intermediate legislature and within the ambit of such delegation, autonomy including fiscal autonomy.

- [5] From the above definition, it means local government came into being through an act and that it has constitutional autonomy in her domain. This work is therefore out to examine the nature of the Local Government autonomy, its achievements so far and hindrances to achieving the autonomy in areas of our socio-economic and political circumstances of local government system in Nigeria.

#### **THEORETICAL AND CONCEPTUAL FRAME WORK:**

- **Local Government justification theory:** There are various theoretical and conceptual frame works on Local Government depending on the areas a writer or an author is viewing it from. Gboyega (1987) is of the opinion that there exist two basic classes of theories of Local Government.
- [1] First Theory: **Democratic Theory** – This theory justified the existence and reason why local government should exist. The theory believes that local government would help democratic process in areas of administration which would bring responsiveness, accountability, control and good governance in local domain.
- [2] Second Theory: **Non – Democratic Theory** – This theory stressed that local government institutions are not democratic in their internal operations; and they have no responsiveness, accountability, control and good governance in their local domain. This system contradicts the purpose of a democratic regime.
- **Democracy:** Chief Obafemi Awolowo (W. H. A. 1952) opined that Local Government is “a system of government where local councils make, accept responsibility for, and implement their own decisions subject only to such control as may be exercised by the people through their own regional government”

#### **A. THE BANE OF LOCAL GOVERNMENT DEVELOPMENT:**

**The 1999 Constitution** of the Federal Republic of Nigeria as amended in section 7 guarantees the creation and the autonomy on Local Government.

Section 7(2): The person authorized by law to prescribe the area over which a Local Government Council may exercise authority shall:

- (a) Define such area as clearly as practicable; and  
(b) Ensure, to the extent to which it may be reasonably justifiable, that in defining such area regard is paid to –
- [1] the common interest of the community in the area  
[2] traditional association of the community, and  
[3] administrative convenience

Section 7(3): It shall be the duty of Local Government Council within the state to participate in economic planning and development of the area referred to in subsection (2) of this section and to this end an economic planning board shall be established by a law enacted by the House of Assembly of the state.

Section 7(4): The Government of a state shall ensure that every person who is entitled to vote or be voted for at an election to a House of Assembly shall have the right to vote or to be voted for at an election to a Local Government Council.

Section 7(5): The functions to be conferred by law upon Local Government Councils shall include those set out in the Fourth Schedule to this Constitution.

Section 7(6): Subject to the Provisions of this Constitution

- (a) The National Assembly shall make provisions for statutory allocation of public revenue to local government councils in the Federation; and  
(b) The House of Assembly of a state shall make provisions for statutory allocation of public revenue to Local Government Councils within the state.

#### **B. Critical Analysis Of The 1999 Constitution as amended**

A critical analysis of the 1999 Constitution reveals the following:

➤ **Autonomy exist in some areas such as:**

- [1] Section 3 (6) provides that there shall be seven hundred and sixty eight (768) and six (6) area councils totaling seven hundred and seventy four (774) local government areas in Nigeria.  
[2] Section 7 (1) guarantees that there should be separate existence of the local government councils as an autonomous tier of government  
[3] Section 7 (6) Mandates both the Federal and State government to make separate provisions out of the Federation account and State income respectively available to the local councils.

➤ **Autonomy exist in Main functions of local government**

The 1999 Constitution of the Federal Republic of Nigeria, as amended in its fourth schedule, section 7 sub sections 1 and 2 clearly spelt out the functions of local government as follows:

- (a). The consideration and the making of recommendations to a State commission on economic planning or any similar body on –
  - a. The economic development of the State, particularly in so far as the areas of authority of the council of the State are affected, and
  - b. 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 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 -
  - Out-door advertising and hoarding,
  - Movement and keeping of pets of all description,
  - Shops and kiosks,
  - Restaurants, bakeries and other places for sale of food to the public, laundries, and
  - Licensing, regulation and control of the sale of liquor

2. Constitution of Federal Republic of Nigeria 1999 also states that: The functions of a local government council shall include participation of such council in the Government of a State as respects the following matters :

- (i) the provision and maintenance of primary, adult and vocational education;
- (ii) the development of agriculture and natural resources, other than the exploitation of materials
- (iii) the provision and maintenance of health services; and
- (iv) such other functions as may be conferred on a local government council by the House of Assembly of the State.

#### **LOCAL GOVERNMENT AUTONOMY CONTENDING ISSUES:**

##### **Creation and Control by the state government:**

The 1999 Constitution of the Federal Republic of Nigeria Section 7 provides:

7(1) ‘‘The system of Local Government by democratically elected local 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 interpretation of the above is that the 1999 Constitution has made the Local Government a creature of the state government. From the constitution the state government is to create the local councils, see to their composition and f

##### **State Joint local government Account’’:**

In The 1999 Constitution of Federal Republic of Nigeria:

S162(5) states that the amount standing to the credit of local government councils in the federation accounts shall be allocated to the state for the benefit of their local government council on such terms and in such manner as may be prescribed by National Assembly, S162(6) states that each state shall maintain a special account called ‘‘State Joint local government Account’’ into which shall be paid allocation to the local government councils of the state from Federation Account and from the Government of the State; b) The amount standing to the credit of the local government of a state shall be distributed among the local government councils of that state on such terms as prescribed by the house of assembly of the state. The interpretation of the above is that what happens to the funds in the Joint Account is not the business of the constitution. This financial control between the local and the state governments reduces the autonomy of the local government and this paves way for financial manipulation of the local government. At the local level, the local government chairman is charged with preparation of budget with inputs from councilors and local bodies. It is then approved by local legislature, which is presented to the State Governor for approval. State governors, political parties and top party chieftains are often influenced with bribes, political god fathers and the efforts geared towards the enthronement in office for the second term.

The bureaucracy involved will tell that getting final approval may involve too much interest. It is appalling that state governors who decide the local government fiscal allocation and utilization have continued to man the local government establishment. Hence the local governments have been tied to the apron string of the state government.

Mabogunje (2014) opined that the presidential system of government at the local councils should be abolished to pave way for real development in the third tier of government while delivering lecture at the second Matriculation Lecture of Elizade University, ILara – Mokin, Ondo State of Nigeria.

## **II. METHODOLOGICAL APPROACH:**

For effective and efficient data collection procedures, two main instruments were used namely: questionnaire and personal interview. Some members of Local Government who were currently on the job and some staff who have worked there before were given questionnaire each for completion. The entire questionnaires were personally administered. Some members of staff who were fully involved in the administration of the Local Councils were interviewed. The paper concerns itself with a case study of local Government Councils in Ondo State. So the population of study comprises the entire staff in the local Government Council in the state. The entire population was then divided into strata. The strata were made up of: Northern Senatorial District, Central Senatorial District and Southern Senatorial District.

## **III. DATA METHODOLOGY**

In this research work, two hypotheses were employed:

### **Hypothesis 1**

H<sub>0</sub>: The local council is not an appendage of the state government

H<sub>1</sub>: The local council is an appendage of the state government

### **Hypothesis 2**

H<sub>0</sub>: There is no total autonomy in local government council

H<sub>1</sub>: There is total autonomy in local government council

Chi-square statistical tool was used in testing the hypotheses raised in this research; whereby 'the observed frequency' was compared with the 'expected frequency' so as to bring out the acceptability of the hypotheses raised or otherwise. The following mnemonics would be used:

O = Observed frequency;

E = Expected frequency;

Chi-square ( $X^2$ ) =  $\frac{(O - E)^2}{E}$

The observed frequency was the direct response from the respondents, while 'expected frequency' was the theoretical frequency/result which shows how the observed frequency would have been. The expected frequency is calculated directly from the observed frequency using the following formula:

○ Expected =  $\frac{(\text{Row Total} \times \text{Column Total})}{\text{Grand Total}}$

○  $X^2_t$  = Critical value from the Statistical Table and

○  $X^2_c$  = the value computed from the table of data collected.

In analyzing the data, simple Mathematical methods of comparison and Percentages were used. The data collected were analyzed in tabular form.

## **IV. ADMINISTRATION OF RESEARCH DATA:**

Best and Kahn (1989; 141) advised that a researcher should use the problems generated from the study and generate convenient hypotheses; and that a data summary table should be obtained to justify the result. Hence, this section is devoted to data summary table, justification of result and testing of the hypotheses raised.

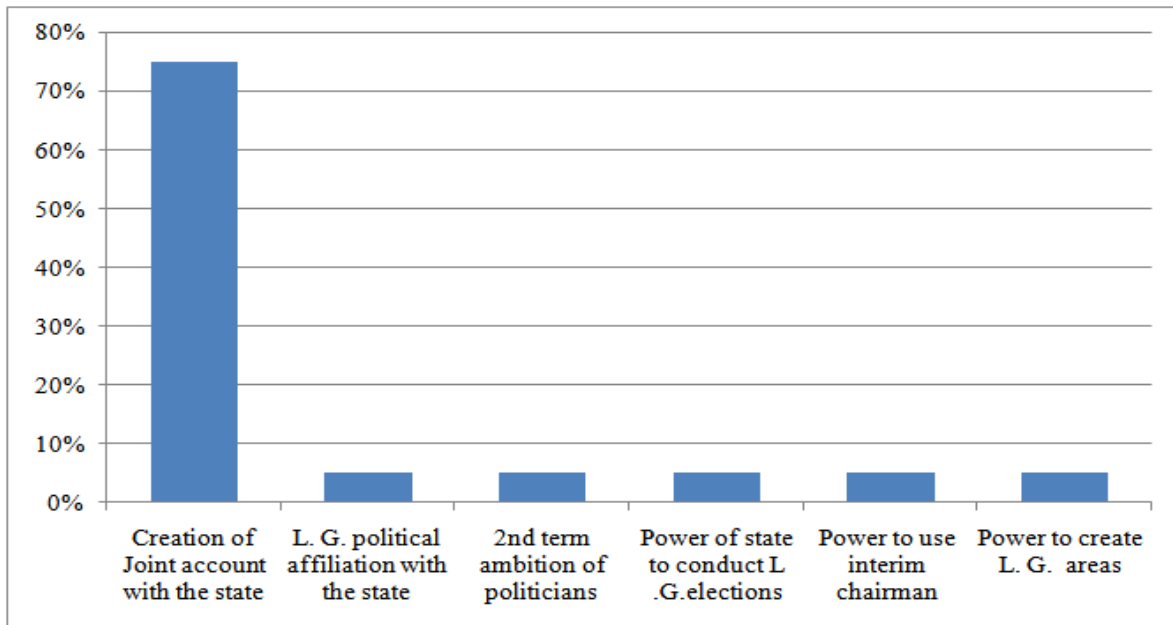
**TABLE I: Causes of Limited Autonomy in Local Government**

		Agreed		Disagreed		Total
		YES	%	NO	%	
A.	The creation of Joint account with the state	400	80%	100	20%	500
B.	Local government political affiliation with the state	300	60%	200	40%	500
C.	Second term ambition of local government chairman and councilors	350	70%	150	30%	500
D.	Power given to the state to conduct local government elections	380	76%	120	24%	500
E.	Power to use interim chairman and supervisor given to the state	380	76%	120	24%	500
F.	Power to create local government and administrative areas given to the state	390	78%	110	22%	500

Sources: Researcher's field work 2014

**INTERPRETATION OF RESULT:** The table above (Table I) shows the response of 500 people in Ondo State concerning the issue of autonomy in Local Government Councils. On the creation of Joint account between the local government and the state; 80% of the respondents were of the opinion that the operation of the joint account with the state had seriously reduced the autonomy of the council areas while only 20% believed that the joint does not have negative impact on the council autonomy. On the question of Local government political affiliation with the state; 60% of the respondents were of the opinion that this had seriously reduced the autonomy of the council areas in that this had made them to keep mute in many areas even when the state are acting *ultra vires* because many of the local councils belong to the same political parties with the state; while only 40% believed that the question of Local government political affiliation with the state does not have negative impact on the council autonomy. On the question of Second term ambition of local government chairman and councilors; 70% of the respondents were of the opinion that the question of Second term ambition of local government chairmen and councilors had seriously reduced the autonomy of the council areas in that this had made them to keep mute in many areas even when the state trampled on their autonomy while only 30% believed that this does not have negative impact on the council autonomy. On the question of Power given to the state to conduct local government elections by the constitution; 76% of the respondents were of the opinion that this had seriously reduced the autonomy of the council areas in that the state government uses their political and economic power to bring the council functionaries to power. Hence, the conscience of the chairmen and councilors had been mortgaged even before getting to office; while only 34% believed that this does not have negative impact on the council autonomy. On the question of Power to use interim chairmen and supervisors given to the state by the constitution to rule the council; 76% of the respondents were of the opinion that this had seriously reduced the autonomy of the council areas in that the state government just hand picks their stooges and installs them to govern the council without recourse to the electorates. Hence, adage that he who pays the piper dictates the tune comes into play; while only 34% believed that this does not have negative impact on the council autonomy. On the question of Power to create local government and administrative areas given to the state by the constitution; 78% of the respondents were of the opinion that this had seriously reduced the autonomy of the council areas in that the state government in that the 1999 constitution had made council a creature of the state. It is *normal* for the creature to *worship* the creator; while only 32% believed that this does not have negative impact on the council autonomy.

**TABLE II: Magnitude of the Reason for Non Local Autonomy**



Sources: Researcher’s Field Work 2014

**INTERPRETATION OF RESULT:** The table above (Table II) shows that:

The major reason for the non autonomy of the council in Nigeria is due to the fact there exist a joint account between the local governments and the state governments. 75% of the respondents opined that this joint account had made the local councils to be tied to the apron spring of the State government. Even when the states are not handling the account as the constitution stipulates, the councils keep mute. Other reasons for non autonomy by local council take 5% each. These are: Local government political affiliation with the state, Second term ambition of local government chairman and councilors, Power given to the state to conduct local government elections, Power to use interim chairman and supervisor given to the sate and Power to create local government and administrative areas given to the state by the constitution.

**Table III: The Research Hypotheses**

The Hypothesis 1				The Hypothesis 2			
Local Government is an appendage of the state government				There is total autonomy in local government council			
	NO	YES	TOTAL		NO	YES	TOTAL
North Senatorial District	20	80	100	North Senatorial District	80	20	100
South Senatorial District	10	100	110	South Senatorial District	90	20	110
Central Senatorial District	10	70	80	Central Senatorial District	100	30	130
Others	50	150	200	Others	120	40	160
TOTAL	90	400	490	TOTAL	390	110	500

Sources: Researcher’s Field Work 2014

**TABLE IV: Chi-Square Contingency Table for the Two Hypotheses**

HYPOTHESIS 1					HYPOTHESIS 2				
O	E	O - E	(O - E) <sup>2</sup>	$\frac{(O - E)^2}{E}$	O	E	O - E	(O - E) <sup>2</sup>	$\frac{(O - E)^2}{E}$
OBSE RVED	EXPECT ED				OBSE RVED	EXPECT ED			
20	18.40	1.60	2.70	0.13	80	78.00	2.00	4.00	0.05
10	20.20	(10.2)	104.10	10.41	90	85.80	4.20	17.60	0.21
10	14.70	(4.7)	22.03	2.03	100	101.40	(1.40)	1.96	0.02
50	36.73	13.30	176.00	3.52	120	124.80	(24.8)	615.04	4.90
80	81.63	(1.63)	2.66	0.03	20	22.00	(2.00)	4.00	0.18



100	89.80	10.20	104.12	1.04		20	24.20	(4.20)	17.60	0.72	
70	65.40	4.69	22.00	0.31		30	28.60	1.40	1.96	0.07	
150	163.26	13.27	176.00	1.17		40	35.2	4.80	23.04	0.65	
<b>X<sup>2</sup>c TOTAL =</b>					<b>17.47</b>	<b>X<sup>2</sup>c TOTAL =</b>					<b>6.80</b>

Sources: Researcher’s Field Work 2014

**TABLE V: TESTING THE HYPOTHESES (Summary of the Hypotheses)**

S/N	HYPOTHESIS	X <sup>2</sup> c Computed	X <sup>2</sup> t Table	D.F	LEVEL OF SIG.
1.	Hypothesis 1 H <sub>0</sub> : The local council is not an appendage of the state government  H <sub>1</sub> : The local council is an appendage of the state government	17.47	7.81	3	0.05
2.	Hypothesis 2 H <sub>0</sub> : There is no total autonomy in local government council  H <sub>1</sub> : There is total autonomy in local government council	6.80	7.81	3	0.05

Sources: From Researcher’s Chi-Square Contingency Table 2014

**INTERPRETATION OF RESULT:** The tables above (Tables IV & V) shows the Chi –square contingency and summary of the hypotheses tables respectively to test the two hypotheses raised for the study. Namely:

**Hypothesis 1**

H<sub>0</sub>: The local council is not an appendage of the state government  
H<sub>1</sub>: The local council is an appendage of the state government

**Hypothesis 2**

H<sub>0</sub>: There is no total autonomy in local government council  
H<sub>1</sub>: There is total autonomy in local government council

• **On Hypothesis 1**

The Chi – square computed (X<sup>2</sup>c) from the respondents to the questionnaire in the above Chi-Square Contingency Table was **17.47** for hypothesis 1; while the Chi – square from the Statistical table (X<sup>2</sup>t) using 3 Degree of Freedom at 0.05 level of significance was **7.81**. Since the X<sup>2</sup>c (17.47) is greater than the X<sup>2</sup>t (7.81) the null hypothesis is not within acceptable region; we should not accept the null hypothesis (H<sub>0</sub>), which states that: ‘The local council is not an appendage of the state government’; rather accept the alternative hypothesis (H<sub>1</sub>), which states that: ‘The local council is an appendage of the state government’.

• **On Hypothesis 2**

The Chi – square computed (X<sup>2</sup>c) from the respondents to the questionnaire in the above Chi-Square Contingency Table was **6.80** for hypothesis 2; while the Chi – square from the Statistical table (X<sup>2</sup>t) using 3 Degree of Freedom at 0.05 level of significance was **7.81**. Since the X<sup>2</sup>c (6.80) is less than the X<sup>2</sup>t (7.81) the null hypothesis is within acceptable region; we should not reject the null hypothesis (H<sub>0</sub>), which states that: ‘There is no total autonomy in local government council’; rather do not accept the alternative hypothesis (H<sub>1</sub>), which states that: ‘There is total autonomy in local government council’

**V. SUMMARY**

In summary, this research work was embarked on to delve into the reasons why most Nigerian Local Governments remain grossly underdeveloped and not well catered for by their council functionaries using local governments in Ondo State of Nigeria as a case study. Questionnaires were sent out to collect data from the local governments and Nigerians passing through Ondo state. The data were x-rayed using Chi-square tool; most of the local governments continue to be grossly underdeveloped and nothing to write home about.

**VI. CONCLUSION**

The literature review work revealed that The Guideline for Local Government Reform (FGN, 1976) brought good development to the local government areas in Nigeria in that it guarantees autonomy to the councils.

In the theoretical work late Chief Obafemi Awolowo (W. H. A. 1952) said that: 'Local Government is a system of government where local councils make, accept responsibility for, and implement their own decisions subject only to such control as may be exercised by the people through their own regional government'. From this statement we could infer that local councils have autonomy that it should enjoy.

A critical analysis of the 1999 Constitution reveals the following: **Autonomy exist in some areas such as:**

- Section 3 (6) provides that there shall be seven hundred and sixty eight (768) and six (6) area councils totaling seven hundred and seventy four (774) local government areas in Nigeria.
- Section 7 (1) guarantees that there should be separate existence of the local government councils as an autonomous tier of government
- Section 7 (6) Mandates the both the Federal and State government to make separate provisions out of the Federation account and State income respectively available to the local councils.
- The 1999 Constitution of the Federal Republic of Nigeria, in its fourth schedule, section 7 sub sections 1 and 2 clearly spelt the functions of local government.

**The fact of the matter** is that the 1999 Constitution has limited the autonomy of the local council in that it has made the Local Government a creature of the state government. From the constitution the state government is to create the local councils, see to their composition and finance.

The empirical work also revealed that the autonomy had eroded due to the following:

- The creation of Joint account to be operated by the local council with the state governments.
- Local government political affiliation with the state governments as their god fathers
- Second term ambition of local government chairmen and councilors which are most of the time sponsored and ensured by the state governments
- Power given to the state to conduct local government elections into the councils
- Power to use interim chairmen and supervisors given to the state to rule the councils
- Power to create local government and administrative areas given to the state

Professor Akin Mabogunje (Former Chairman of the Presidential Committee on land Reform) has advocated that the current situation in 1999 Constitution was very confusing on the status of local councils.

Finally, the hypotheses raised revealed that The local councils in Nigeria is an appendage of the state government and that there is no total autonomy in local government council.

## **VII. RECOMMENDATIONS:**

The 1999 Constitution of the Federal Republic of Nigeria, in its fourth schedule, section 7 sub sections 1 and 2 which clearly spelt the functions of local government had made us to know that the development of the local councils mainly rest on the local government functionaries. We are hereby recommending that:

- [1] The 1999 constitution of the Federal Republic of Nigeria should be reviewed to abolish the creation of Joint Account between the state and the local councils especially now that the National Conference is about kicking off.
- [2] Every action of the local council and the state government should be seen as satisfying the yearnings and the aspirations of the electorates especially at the grass root.
- [3] The local council functionaries should not just go to the seat to satisfy their pocket leaving the masses suffering.
- [4] The state should not work at cross purposes from the local council areas.
- [5] The current system where the councils' budgets are passed to the governors for approval after the local legislatures had passed the budgets should be stopped forthwith.
- [6] The Power to conduct local council elections should be removed from the state.
- [7] The Power to use interim local government functionaries should be cancelled. The Local government functionaries see their areas as a separate government with autonomy as the state is to the federal government. The state had taken their supervisory role of the local government to be a master servant relationship. The current clamoring by Nigerians for local councils' autonomy is not only appropriate but a way to bring development to the grass root. Eroding the autonomy of Nigerian local governments is eroding accelerated grass root development in the country.



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