

# LOCAL GOVERNMENT ADMINISTRATION IN NIGERIA

## Old and New Visions



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# LOCAL GOVERNMENT AND INTERGOVERNMENTAL RELATIONS

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### **Introduction**

Federalism as a system of governance is pragmatic, dynamic, utilitarian and evolving. It can only thrive on consultation, negotiation, compromise, bargaining and agreement between the constituent governments. It grows under a system of mutuality and interdependence. Domestic public policy is implemented not merely by government, but by governments. The administration of a single public policy often involves a *pastiche* of funding sources and public administrators interacting through all levels of government, and the field of public administration call this pastiche “Intergovernmental relations” or the series of financial, legal, political and administrative relationships established among all units of government that possess varying degree of authority and jurisdictional autonomy.<sup>1</sup>

This problem has bedeviled the federal system in Nigeria, that has influenced the behaviour of the political elite, which account for the weakness of intergovernmental institutions in Nigeria, “there was considerable unwillingness to accept the operational requirements of federalism”.<sup>2</sup> This is traceable to the fact that the primary concern of politicians revolves around power and the advantage it confers on them in a condition in which the state is practically everything. Thus, there is little concern for federalist principles that work towards the achievement of the stated goals.

Intergovernmental relations is an important aspect of government operations in Nigeria. They are very important that they have become institutionalized in government operations. Effective and efficient management of IGR among the different levels and organs of governments within the political system is a pre-requisite for peace, order and good government in the federal, state and local governments. It is increasingly difficult to measure the effective and efficient functioning of governments, especially with the growth of government activities in recent years both in size and in complexity without such relations.<sup>3</sup>

IGR offers more opportunity, interlinkages and complementarity in the running of the Nigerian public affairs. Federalism as practiced under the military regime imposed centralized control over the states and local governments which distorted IGR. Federalism, theoretically forbids any level of government from usurping the power of the other, yet provides a wide arena for cooperation and opportunities for expanding joint actions.<sup>4</sup> Therefore, every unit of government in a federation ought to direct and adjust its programmes to promote the overall national interest, while also coordinating its activities with other levels.

It is pertinent to note that the 1976 local government reforms constitutionalised the status and functions of Local Government Areas (LGAs) in Nigeria. Yet, this reform has not deepened the involvement of the local government accordingly in Nigeria.<sup>5</sup> At this juncture, is important to mention the principle of autonomy under which IGR operate which stress that no government or level of government can confer on the other, functions or impose duties on the functionaries of the other without the consent of its Chief Executive. On the contrary, the local government system in Nigeria continues to falter from undue interference by the federal and state governments, despite its constitutional recognition as the third tier of government. Local governments have been effectively reduced to the appendage of the other two levels of government and are often deployed to partisan political uses.<sup>6</sup> This is evident in the manner state governments withhold financial



allocation to the local governments as a form of pressure and tactics to ensure their loyalty. This development has made the interaction and interrelationship between local government and other tiers of government to be harmonious rather than conflictual.

This paper therefore examines the involvement of Local Government (level/tier) in intergovernmental relations in Nigeria. To achieve the objective, this paper is divided into six sections: the second focuses on conceptual issues; the third considers the theoretical analysis; the fourth examines the constitutional framework of IGR in Nigeria; the fifth x-rays the local government autonomy, specifically–state and local government relationship; the sixth charts a way forward and concludes the paper.

### **Conceptual Clarification/Framework**

This paper explicitly clarifies some theoretical terms/concepts that underline the issue and gives us an indepth appraisal of the involvement of local government in IGR in Nigeria. Some of these concepts are: federalism, intergovernmental relations and local government.

(i) Federalism is a common feature of contemporary nation-states. It is the division of powers so that the general and regional governments are each within a sphere coordinate and independent.<sup>7</sup> Federalism is usually viewed as a “form of governmental and institutional structure, deliberately designed by political “architects”, to cope with the twin but difficult task of maintaining unity while also preserving diversity”.<sup>8</sup> It is essentially a form of government in which the component units of a political organization participate in sharing powers and functions in a cooperative manner in the face of the combined forces of ethnic pluralism and cultural diversity. This arrangement provides room for fluidity and the co-existence of centrifugal and centripetal forces.<sup>9</sup>

Federalism involves “contractual non-centralisation, the structural dispersion of powers among centres whose authority is constitutionally guaranteed. It is designed to link the constituent units more closely within a common general government whose constitution is the supreme law of the land and that maintains direct contact with its individual

citizens.<sup>10</sup> Nwabueze shed more light on the meaning of the concept when he asserted that:

Federalism is an arrangement whereby powers of government within a country are shared between a national (nationwide) government and a number of regionalized (i.e territorially localized) governments in such a way that each exists as a government separately and independently from the others operating directly in persons and property within its territorial area, with a will of its own, and its own apparatus for the conduct of its affairs and with an authority in some matters exclusive of all others.<sup>11</sup>

Federalism is characterized by the interplay of political power struggles between the various interest groups in society.

Awa viewed federalism from the perspective of cooperation, and argued that:

'Federalism involves cooperation, bargaining and conflict. There has always been a measure of cooperation between the two levels of government, such cooperation increasing in scope and quality as the federalism matures'.<sup>12</sup>

The key factor for the existence of federalism is the maintenance of a constitutional arrangement in which both the federal and the state governments are responsible for particular spheres of constitutional activity, or the exercise of political discretion by two levels of government.

(ii) Intergovernmental relations involve the patterns of cooperation among various levels of government in a federal government system. These patterns of relationship which may be vertical or horizontal are instrumental to the development of high level of coordination among the various layers in their efforts towards the implementation of the national goals, policies and programmes.<sup>13</sup> Many interpretations have been given to the concept of IGR, but scholars like Olowu, Anderson, Watts and Adamolekun have all agreed that IGR denotes the permutations and combinations of relations among the units of government in a federal

system. It is a body of activities or interaction occurring between governmental units of all types and levels either in a unitary or federal system of government. IGR is the management and coordination of the relationships among governments for the purpose of achieving specific policy goals.<sup>14</sup>

Intergovernmental relations can therefore be defined as the interactions that take place among the different levels of government within a state.<sup>15</sup> It is specifically applied to the permutations and combinations of relations among the units of government in a federal system.<sup>16</sup> Thus, Wright<sup>17</sup> defines IGR as comprising all the permutation and combinations of relations among the units of government in a federal system. He observes that IGR includes the activities and attributes of persons occupying positions in all the units of government in a federal system, viz.: federal, state, local, political administration and judicial, legislative or executive branches of government.

Anderson,<sup>18</sup> sees IGR as “a term intended to designate an important body of activities or interaction occurring between governmental units of all types and levels within the federal system”. Nnadozie<sup>19</sup> agrees with Anderson when he defines IGR as “the planned system of management of complex relationship among layers of governments in a given state” Ayoade,<sup>20</sup> stated that IGR refers to inter-jurisdiction on transactions and not transactions between a government and citizens (singly or in groups) who are objects rather than subjects of intergovernmental transaction. It must be pointed out that IGR also encompasses the mutual relations existing between certain government functions. Government functions as used here refer to the three organs of government, legislative, executive and judiciary. The legal or constitutional framework within which these relations take place and the positions of the government functions in the hierarchy are institutionalized.

It is therefore appropriate to describe IGR as an interaction that takes place among the different levels of government within a state. It refers to the structure and process of transactions among levels of government in a political system. It is an interaction that takes place among different

levels of government within a state, in particular, within the institutional arrangement where such interactions can occur at the federal, state and local government levels.

There are six types of relations that are possible in federations like Nigeria. These include: Federal – State Relations; Federal – State – Local Relations; Federal – Local Relation; Inter-State Relations (i.e State-State Relations); State – Local Relations and; Inter-Local Relation. (i.e Local-Local Relations).

Despite the fact that the emphasis in the analysis of IGR is on federal-state relations, the full picture also includes how both levels relate to the local government units established within each state.<sup>21</sup> It must be emphasized at this juncture that a full and meaningful analysis of IGR therefore within a federal administration must cover the six areas mentioned above.

(iii) Local government is the third level of government, otherwise known as grassroots government, that is, government at the local level. It is responsible for resources mobilization, political participation (political education and training) and provision of social services. Local government as a concept has been defined by various scholars in different ways. For the purpose of this paper, we shall look at the major and most widely acceptable definition of the concept.

The 1976 Local Government Reform defines local government as:

... government at local level exercised through representative council, established by law to exercise specific powers within defined areas. These powers should give the council substantial control over local affairs as well as the staff and institutional and financial powers to initiate and direct the provision of services and to determine and implement project so as to complement the activities of the state and federal governments in their areas, and to ensure, through devolution of these functions to these councils and through the active participation of the people and their traditional institutions, that local initiative and response to local needs and conditions are maximized.<sup>22</sup>

This definition is indicative of a high degree of autonomy, which is in line with the philosophy of local government as a tier of government in a federal system. The United Nations in its definition of local government appears to have concurred with the above view, when it asserted that local government is:

... a political subdivision of a nation or (in a federal system) state, which is constituted by law and has substantial control of local affairs including the powers to impose taxes or to exact labour for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected".<sup>23</sup>

The two definitions above are the most widely accepted and they bring out four key features of local government.

First, local government officials are elected. Regular elections at specified period of time is a feature of local government. In fact, the main distinguishing characteristics that differentiates a local government from a local administration is the fact that while officials of the former are elected, those of the latter are appointees of the centre to implement policies of the centre. Second, local government unit must have a legal personality distinct from the state and federal government. Thirdly, the local government must have specified powers to perform a range of functions, and lastly, it must enjoy substantial autonomy. Local government autonomy means that the local government is elected at the local level and operates independently of state and federal governments. The local government is no longer an appendage of the state government. The characteristics of local government autonomy include among other things, ability to make its own laws, rules and regulations, formulate, execute and evaluate its own plans and the right to recruit, promote, develop and discipline its own staff.<sup>24</sup> The existence of locally elected or appointed officials responsible and accountable to the local electorate has come to be the mantra of local government.

## **Theoretical Underpinings of IGR**

Two major theories of IGR are relevant to explain the interrelationship between tiers of government and the role of local government as grassroots government. These are the system theory and power theory.

### **(i) *System Theory***

A system is a collection of interrelated parts that function together to achieve common goals. The concept of system implies an identifiable set of institutions and activities in society that function to transform demands into authoritative decisions that require the support of the whole society.<sup>25</sup> Systems are generally relationships or better still a whole which is composed of many parts. It emphasizes relationships and not individuals. The system approach represents a way of looking at reality that emphasizes “whole”, their properties and interrelationships – as contrasted with specialized parts.<sup>26</sup> The central guiding principle of this approach is the assumption of equilibrium, that is, the whole will need the cooperation of the parts to keep it mobile.<sup>27</sup>

In relation to intergovernmental relations any named political system is made up of several parts or tiers of government – Federal, state and local governments. These parts perform different functions and it is a combination of these functions that keep the entire system moving. David Easton was the scholar who popularized this approach in political studies. His system theory can be explained in intergovernmental relations as a two-way traffic between the central government and the component states.

The utility of system theory in this study is, in fact, evident in its presupposition that IGR is a system of transactions among the various levels of government in a federal state. The system model provides a comprehensive framework for identifying, coping with and integrating the institutional, behavioural and managerial dimensions of IGR. Additionally, it can be argued that the system model has a potential for resolving the allocation controversies, which intend to bedevil inter

jurisdictional relationship. The key concept is that as each part of the system performs its role, it enhances the performance of the other parts and hence, the total performance of the system. This conception holds true for all tiers of government as the system theory rightly emphasized.

In relation to IGR, it is a system of transactions among different levels of government in the state. In a federation like Nigeria, the significant areas of interaction, in the opinion of Olugbemi<sup>28</sup> include, the federal, the state or regional administrations, local authorities, and extra-governmental bodies. Yet, the interacting units are partners in common ventures, they are not equals nonetheless.

### **(ii) Power Theory**

Power theory is germane for the analysis of IGR. Power is that non-divisible unit of energy which is capable of causing a change in the actions of its victim in spite of the victim's opposition to the change. Oyovbaire viewed power as the outcome of interaction between federal and state governments in terms of their freedom for, or constraints on, political action.<sup>29</sup> While Barrats argued that for power relationship to exist there must be a conflict of interests or value between two or more persons or groups.<sup>30</sup> In relation to inter-governmental relations, power can be defined as the outcome of interaction among the tiers of government. There is no doubt that both conflict and consensus among tiers of government are implied in the concept of power employed in this study. Most IGR relations do not lend themselves easily to either – conflict or – consensus type of analysis. The domain of federal government is the whole society; its institutions and claims have country wide dimensions, the base of its resources derives from the whole of society and its performances and range of action are for, and justified on behalf of, the whole society. The power relation theory is usually based on realist school of thought. Realism sees the various levels of government as the main actors in IGR. Under this theory, the responsibility of each unit of government is to promote the interest of its people against the opposition of other units in IGR. The whole question of federalism is related to the question of distribution of power and how power is allocated. Thus, disputes over power lie at the heart of federalism and IGR in Nigeria.



## **ii. Theoretical Models of IGR**

Apart from intergovernmental relation theories, scholars have devised a number of models to guide the study of intergovernmental relations. Wright<sup>31</sup> identified three models of inter-governmental relations. These are; separated authority model, inclusive authority model and overlapping authority model.

The separated authority model describes the relationship that exist between the federal and state governments whereby they derived their authorities from the constitutions. Under this model, local governments are usually creation of the state and are subordinate to the state government. In the inclusive authority model, both state and local governments are subordinate to the federal government. Under this model, though the constitution recognises the authority of both state and local governments, they are in a weak position to challenge the federal government and finally, the overlapping authority model describes the interaction among the three levels of government i.e. federal, state and local governments, as co-equal and these levels of government derives their powers and functions from the constitution.

## **Constitutional Framework of Intergovernmental Relations in Nigeria**

Nigeria is a federation. Like any federal system, both the central and states governments are independent and co-ordinate authorities enjoying powers within their jurisdiction set by the constitutions, and their authority should be confined to their sphere.

As observed by Dicey, federalism means “the distribution of the force of state among a number of coordinate bodies each originally in and controlled by the constitution”<sup>32</sup>. Thus, the rapid expansion in the functions of government has called for the idea of decentralisation and devolution as a means of bringing government nearer to the people.

Indeed, the hallmark of federalism is the constitutionalisation of the relations among the various levels of government. Since the constitution

defines the existence and responsibilities as well as the interface of the various tiers of government, it constitutes the essential structural foundation of the relations between the governments.<sup>33</sup> This is not to deny the fact that IGR can take several forms with varying degrees of formalisation and institutionalization, but to emphasize the importance of constitutionalism to effective IGR and thereby the need to pay attention to this foundation in the effort to understand and deal with conflict and problems that straddle the interface between and amongst governments in any federation.<sup>34</sup> The need to revisit the constitutional foundation of IGR in Nigeria is underscored by the fact that the return to civil rule after almost two decades of unconstitutional rule has witnessed several intergovernmental conflicts that raise questions concerning the use and relevance of intergovernmental institutions and process, the extent to which governmental actors are appraised of them and/or are willing to resort to them in dealing with conflicts.

The Nigerian constitution makes elaborate provisions in terms of the normative foundation of federalism and IGR. The 1979 constitution requires a more elaborate federal-state-local interface where an amendment involves the creation of more states, local councils or boundary adjustment than the 1963 Constitution, section 8 of the 1999 Constitution carries over the provisions of the 1979 Constitution on state creation and boundary adjustment. But it also includes more elaborate provisions on local government creation than was made in the 1979 constitution.<sup>35</sup> This represents in effect a deepening of interface of the tiers of government.

The three post-independence constitutions of Nigeria allocated jurisdictional powers to the various tiers of government. In all cases, there are two legislative lists: the exclusive and the concurrent. The Exclusive Legislative is for the federal government, while the Concurrent list is for both the federal and state governments. These lists constitute Part One and Two of the 1963 Constitution and Part One and Two of the Second schedule of both the 1979 and 1999 constitutions. In addition the 1979 and the 1999 constitutions contain in their fourth schedules the functions of local government. Again, showing the recognition of

local councils as a third tier of government, thereby defining Nigeria's three tier federal structure.<sup>36</sup>

Aiyede<sup>37</sup> posited that all the three constitutions under review provide several areas of interface amongst various tiers of government, key areas of interface are delegation of functions, fiscal issues, state/local government creation and boundary adjustments, emergencies, population census, economic planning, implementing internal treaties and the Police. Most of these areas are viewed to be of much fundamental importance that the 1999 Constitution provides permanent institution for dealing with them in the effort to foster cooperative IGR in these areas.

### **Local Government Autonomy Question: The State-Local Government Relationship**

For better appreciation of the extent of the involvement of Local government in IGR in Nigeria, it is pertinent at this point to discuss local government autonomy question from the perspective of the state-local government relationship. The search for autonomy and the effort of local government to free itself from different forms of control has been one of the major problems faced by local government in Nigeria to date.<sup>38</sup> For instance, Dudley notes the following regarding the Resident in the colonial period:

The resident was a higher order of men. He was in fact a god who descends from his Olympian heights periodically to survey his domain, master of all he saw. More than the District Officer, the Resident was not regarded as answerable to anyone. One could sometimes appeal from the District Officer to the Resident, but with the latter everything ended. The ruling of the gods are final and are questioned only at the dire personal and collective risk<sup>39</sup>

The above observation summarizes the degree of control of local government by the central government through the Residents and District Officers who were appointees and representatives of the central government in the local government areas. The control here was absolute and there was little autonomy for the councils.

Unlike the federal-state relationship, the state – local government relationship is not one between sovereign governments. In spite of the concept of the third tier of government, which our system supposed to be, the state is still the *MASTER* of local governments. While the federal constitution guarantees the existence of a democratically elected local government councils, it at the same time, made the state in charge of bringing about that existence under a law.

Section 7(1) of the constitution provides as follows:

The system of local government by democratically elected local government councils is under this constitution guaranteed and accordingly, the government of every state shall ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils<sup>40</sup>

The implication of the above is that a local government council cannot exercise the functions allocated to it in the fourth schedule to the constitution until the state House of Assembly has passed a law, which empowers the local government councils to perform those functions listed in the fourth schedule to the constitution.

Nwabueze argued that if the state government has the constitutional power to establish local government and to define its structure and functions, it clearly and necessarily imply that local government is a mere agency of a creation of the state government.<sup>41</sup> Therefore, it will be erroneous to see it as an independent third tier of government. Furthermore, the issue of autonomy of local government becomes a myth and not a reality.<sup>42</sup>

Since local government was not mentioned anywhere in the constitution, it implies that the sphere of local government may be regarded as essentially a residual regional subject. This arrangement clearly indicated that the sphere of local government was not given any importance in the constitution and it was entirely the responsibility of the state governments to carve out a place for local governments in the scheme of things in the country.<sup>43</sup> It therefore implies that whereas federal-state relations are

regulated by the constitution such that both levels of government are co-equal in their respective spheres of competence, the state – local relationship is that of a principal and an agent.<sup>44</sup> Local Government is a creature and an agent of the state government. Local governments exercise only such powers permitted by the state government. But within this general framework, inter governmental relations at State-Local and Inter-Local levels are a function of the diversity of the state. This becomes more salient if such diversity is translated into political party affiliations. Consequently, in spite of whatever powers are permitted to the local governments by the state governments, intergovernmental relations will be affected by whether the same or different political parties control the state and the local governments. Ayoade<sup>45</sup> argued that in a situation where the same political party is in power at the state and the local level, intergovernmental relations tend to be positive because the relationship between the two levels of government are symmetrical. But when different political parties control state and local governments, the relationship is asymmetrical and intergovernmental relations tend to be negative.

The local government laws (1976 Edicts) provide that the state governments shall exercise general supervision over local governments as may be provided by law. The Edicts also empowered state governments to appoint local government inspectors and these inspectors “shall at all reasonable times have access to and be entitled to inspect all books, accounts and records of the local government councils and they shall have right to attend all council and committee meetings”, other powers of state governments over local governments are (i) powers to hold inquiries into local governments affairs (ii) power to suspend council and appoint management committee in its place (iii) power to dissolve the council (iv) power to discharge functions of defaulting councils.<sup>46</sup>

It must be emphasized that State – Local governments relations have received considerable attention in the numerous tinkering to strengthen the autonomy and viability of the local government system since 1984. The Ministry of local government was abolished. The bureau/directorate

of local government in the deputy Governor's office became the structure for the state supervision of the local governments. The local government service commission was made statutory and mandated to strengthen manpower and capacity. During this period direct allocation from the federation account was increased to 15 percent and later to 20 percent. The local government percentage share of state consolidated revenues was put at 10 percent. The presidential system was extended to the local government system and the chairman became executive and accounting officer.<sup>47</sup>

Two antithetical views stand in the way of proper appreciation of state-local relations. Proponents of "paternalism" have stuck to the view point that the local governments have to be regularly controlled, supervised, guided and "occasionally punished" to get work out of them. At the other end are the advocates of "populism" who are staunch supporters of unbridled council democracy run by elected representative opposed to any sort of interferences from the state government. The truth seems to lie in between these two "polar opposites".

Complete concentration of powers and tight control and constant supervision will transform the reformed local governments into a glorified native authority, while the strength of any state government which tries to keep local government weak is an illusive strength. Hashim<sup>48</sup> argued that the populists are ignorant of the fact that local democracy as a form of government can be stronger with, and not without state government support. Left to itself as an isolated enclave, local government can never be an efficient instrument of local governance. It is only within a network of relationships "both horizontal and vertical" that local government can expect to muster strength.

Although local government reforms have been targeted at enhancing their autonomy, it has been discovered that most of the reforms end up creating new controlling machineries in any attempt to rid the councils of the problems of control and autonomy. For instance, during the Babangida administration, the Ministry of Local government was abolished and in

its place, a directorate of local government and chieftaincy affairs was created in the Governor's office with the same role of overseeing the activities of local government councils. However, as a control saving measure, the same regime abolished the supervision of the state government over the expenditure and programmes of council, and created an independent local government service commission. It was only in the area of statutory allocations that the local government councils gained as they had their allocation directly from the federation account while the state governments were directed to give ten percent of their internally generated revenue to the local government councils, a legacy which has lasted till date.<sup>49</sup>

In examining autonomy under a federal system in Nigeria, Nwabueze stated that:

... presupposes that each government enjoys a separate existence and independent from the control of the other governments. It is an autonomy which requires not just the legal and physical existence of an apparatus of government like a legislative assembly, governor, courts, e.t.c. but that each government must exist, not as an appendage of another government, but as autonomous entity in the sense of being able to exercise its own will in the conduct of its affairs free from direction of another government.<sup>50</sup>

Autonomy would only be meaningful where each level of government is not constitutionally bound to accept dictation or directive from another. In other words, no level of government must arrogate to itself a superior status or power to control and regulate the official conduct of the other.

### **Conclusion: The Way Forward for State and Local Government Relationship**

For state and local government to be partners in progress, the two levels of government must engender mutual understanding and respect for each other. They must realize the fact that they cannot operate in a watertight compartment, as this has never happened anywhere in the world. Hence, they have to imbibe the spirit of cooperation and tolerance.



There is need to amend the 1999 constitution in respect of provisions affecting the local government system, this amendment should recognize the principle of separation of powers in the Local government as we have between the federal and state governments. A situation where the state has so much power over the local government, would be continuously frictious. Such issues as the determination of tenure of chairman and council members which is left to the state Houses of Assembly is abnormal and required immediate amendment.

There is also need to review some of the policy statements, which seemed to have given "a political autonomy" to the local government. While "financial autonomy" here should be defined as ability of a local government to spend its resources without references to the state government. Political autonomy may be petty dangerous as there can never be a state within a state.

For the sustenance of intergovernmental relations in the Nigerian polity, state and local governments must constantly be emphasizing their interdependence rather than independence. Indeed, they are indispensable to each other. While local governments are supposed to enhance monumental development at grassroots, the state governments are expected to coordinate the activities of the local governments and ensure their conformity with the national goals and objectives.

The erstwhile superior and watchful posture of the state governments towards their local governments must change to that of co-partners in progressive move to alleviate the suffering of the people at the grassroots.<sup>51</sup> The division of power and functions between state and local governments should be mutually exclusive. There should be no ambiguity that will enable the state government to undermine the position and integrity of the local governments.

Probity and accountability should be promoted in local government system across the country by activating sanctions against corrupt; and other unethical practices in local government system. Also, Federal and state

governments officers must restrain themselves from encroaching or intervening in the affairs of local government councils.

Above all, reviewing the number and character of institutions provided for in the 1999 Constitution, one observes a clear need to have an overall coordinating body like the defunct National Council on Inter-Governmental Relations (NCIR), even if as a transitional organ. It should be recalled that the idea for the establishment of NCIR was first mooted in 1977, but positive effort to actualize it was signaled by President Ibrahim Babangida in the 1992 Budget Speech. The body operated in every federation and moderates tensions that arise in the pursuit of national and sub-national goals. Its primary aim was to strike a balance between the desire to preserve the federation and the need for the co-operating units to retain a good measure of self-determination and identity. By monitoring IGRs at local, state and national levels, the NCIR would be able to provide warnings on potential sources of conflicts and play a mediatory role in resolving them. Such body will operate like a think-tank but should be independent of all tiers of government, although each level of government will be represented on its governing board. This should help streamline the mechanisms of intergovernmental relation, particularly by taking on the functions of such bodies as revenue allocation and federal character.

Finally, Intergovernmental frameworks are the workhorses with which federalism gets the job done. But the frameworks are themselves sharpened and given life through engagement in the effort to advance a federal project.

The crisis of federalism in Nigeria owes much to the failure to institutionalize governmental relations processes within the Nigerian federation. This failure was conditioned by the civil war and the centralizing tendencies of military dictatorship.<sup>52</sup> Most of the controversies that arose in the area of IGR can partly be attributed to constitutional imperfections and also political party differences. This was largely so because Nigerian major political actors are still much

engrossed in zero sum party politics as against the popular win-win party game in advanced nations of the world. Also, the nation's executive leaders are yet to overcome the legacy of military rule which is largely dictatorship. This inherited military attributes have since 1999 impacted negatively on the nation's IGR.<sup>53</sup> The personal ambition of most of the politicians (the executive in particular), no doubt contributed immensely to the poor intergovernmental relations in Nigeria.

The essence of intergovernmental relation in federal systems is to enable unity and cooperation (being it cultural, socio-political and economic) to prevail not only among tiers of government but also among different groups in the federation. Importantly, too, the spirit of equal partnership between the tiers of government and amongst the states should be imbibed in the interplay of intergovernmental relation in Nigeria.

Finally, it must be stressed that local government as a third tier level of government is indispensable to Nigeria's intergovernmental relations. There is no gainsaying the fact that since the 1976 local government reforms, the involvement of the local government in intergovernmental relations in Nigeria had been strengthened notwithstanding the fact that this level of government still suffers undue interference from the federal and state governments despite the constitutional recognition of local government as a third tier level of government.

## NOTES & REFERENCES

1. Nicholas, H., *Public Administration and Public Affairs*, Ninth Edition, Prentice Hall of India, New Delhi, 2006.
2. Dudley, B., *An Introduction to Nigerian Government and Politics*, Macmillian, London, 1982.
3. Okoro J., "Intergovernmental Relations in Nigeria: An Analysis of the Federal Government Fiscal Relations with the Local Government in Nigeria from 1976 – 1999", *ASCON Journal of Management*, Vol. 17, Nos 1 & 2 April/October, 1998.
4. Edosa, E., *Nigerian Government and Administration: A Brief Outline*, Morgan George Publishers, Benin City, 1994.
5. Akindele, S. T., "Intergovernmental Relations in Nigeria: A Theoretical Appraisal of the Involvement of Local governments," in Awotokun A. M (ed) *New Trends in Nigerian Local Government*, Dept. of Local Government Studies, Obafemi Awolowo University, Ile-Ife, 1995.
6. Aworawo D. and Akpan E., "Local Government Administration," in Osuntokun A. et al, *Issues in Nigerian Government and Politics*, Rex Charles Publication, Ibadan, 2003.
7. Wheare, K.C, *Federal Government*, Oxford University Press, Oxford, 1940.
8. Aiyede, R., Intergovernmental Relations and the Strengthening of the Nigerian Federation, in Onwudiwe E and Suberu R, *Nigerian Federalism in Crisis: Critical Perspectives and Political Options*, Dept of Political Science, University of Ibadan, 2005.
9. Tamuno, T., "Nigerian Federalism in Historical Perspective," in Amuwo Kunle et al, *Federalism and Political Restructuring in Nigeria*, Spectrum Books Ltd. Ibadan, 1998.
10. Ibid.

11. Nwabueze, B.O. *Federalism in Nigeria under the Presidential Constitution*, Hurst & Company, London, 1994.
12. Quoted in Oransaye, A. O and Abangma, J. A, "Making Local Government Perform: The Problem of Functional Autonomy of the Communes in Cameroun," in *The Nigerian Journal of Politics and Public Policy*, Vol. 3, Nos 1 & 2, Dec. 1999 p. 168
13. Chijioke, J. O. *Readings in Administrative Law*, ASCON, Lagos, 2005.
14. Wright, D. S., "Federalism, Intergovernmental Management: Historical Reflections and Conceptual Comparisms," *Public Administration Review*, 50, March/April, 1990, p. 168.
15. Adamolekun, L. *Public Administration in Africa: Main Issues and Selected Country Studies*, Spectrum Books Ltd, Ibadan, 2003.
16. Olowu, D., "Local Government and Intergovernmental Relations in Nigeria," *Journal of the Cross River State Public Service*, Vol. 1 Nos. 4, June, 1983.
17. Wright, D. S. "Democracy and Federalism in the United States: Intergovernmental Patters, Policies and Perspective", in Oladimeji A. and Robert J. M (eds) *Local Government in Nigeria and the United States: Learning from Comparison*, Department of Local Government Studies, Obafemi Awolowo University, Ile-Ife, 1995.
18. Anderson, W., *Intergovernmental in Review*, cited in Okoro James, "Intergovernmental Relations in Nigeria".
19. Cited in Ibid.
20. Ayoade, J., "Consequences of State Creation on Intergovernmental Relations in Nigeria," *A paper presented at the National Conference on creation of states in Nigeria*, held at the University of Ife, Ile Ife, Feb 24 – 28, 1980.
21. Adamolekun, L. *Public Administration: A Nigerian and Comparative Perspective*, Longman, London, 1983.
22. Quoted in Awotokun, A. "State and Local Governments: Partners in Progress in the Third Republic", in Awotokun A. M, 1995, "New Trends in Nigerian Local Government".

23. Ugwu, S.C, *Issues in Local Government and Urban Administration in Nigeria*, Academic Publishing Company, Enugu, 2003.
24. Igbuzor, O., *Perspective in Democracy and Development*, Joe-Tolalu and Associate, Lagos, 2005.
25. Maduabum, C. (ed) *Contemporary issues on Public Policy Analysis in Nigeria*, ASCON, Lagos, 2004.
26. Naidu, S. P. *Public Administration: Concepts and Theories*, New Age International, New Delhi, 2006.
27. Olaniyi, Johnson, *Foundation of Public Policy Analysis*, Sunad Publishing Ltd, Ibadan, 1998.
28. Olugbemi, S. O., "A System Approach to Intergovernmental Relations," *Ife Quarterly Journal of Administration*, January, xiv (2) 1980.
29. Oyovbaire, E. *Federalism in Nigeria: A study in the Development of the Nigerian State*, Macmillan Publishers, Ibadan, 1985.
30. Barrats, F. *Ethnic Groups and Boundaries*, Little Brown and Co. Boston, 1969.
31. Wright, J. cited in Okoro J., "Intergovernment Relations in Nigeria".
32. Awotokun, A. M., "New Trends in Nigerian Local Government".
33. Aiyede, R., "Constitutional and Institutional Basis of Intergovernmental Relations in Nigeria," in Egwaikhide F. et al. *Intergovernmental Relations in Nigeria*. John Archer Publishing Ltd, Ibadan, 2004.
34. Ibid.
35. Ibid.
36. Ibid.
37. Ibid.

38. Aworawo D and Akpan E., "Local Government Administration".
39. Dudley, B. J, *Instability and Political Order: Politics and Crisis in Nigeria*, University of Ibadan Press, Ibadan, 2003.
40. The 1999 Constitution of Federal Republic of Nigeria.
41. Nwabueze B.O. "Federalism in Nigeria".
42. Ugwu, S. C. "Issues in Local Government".
43. Tonwe, D. A, *Local Government and Administration in Nigeria: A Theoretical and Modernizing Federal Perspective*, Amfitop Book Co. Lagos, 1995.
44. Egwaikhide, F. O. et al, "Intergovernment Relations in Nigeria".
45. Ibid.
46. Hashim, I., "Local Government Administration in Nigeria in the last Ten years: Problems and Prospects," *ASCON Journal of Management*, Vol. 7, Nos 1 & 2, April/ October. 1998.
47. Ikelegbe, A, "Inter-Governmental Relations, Governance and Development in Nigeria," in Egwaikhide F. O. et al, "Intergovernmental Relations in Nigeria".
48. Ibid.
49. Aworawo, D. and Akpan, E. "Local Government Administration".
50. Nwabueze, B.O , "Federalism in Nigeria".
51. Ibid.
52. Aiyede, R., 2005, "Intergovernmental Relations in Nigeria".
53. Benjamin, S.A, "Federal-State and State-State relations in Nigeria: A Case Study of Lagos State" in Egwaikhide F. O. et al "Intergovernmental Relations in Nigeria".