

Local Government Autonomy: A Veritable Tool for Redressing Usurpation of Powers of Local Governments by the State Governments in Nigeria

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Abstract

The local councils can hardly be developmental, just as they are practically tied to the apron strings of the state by the constitution. They are in fact political structures that have increasingly become sad and forceful reminders of the systematic disempowerment that has become the lot of the grassroots in Nigeria. This paper examined the utility of the local government autonomy as a vehicle for redressing the overbearing powers of the state governments over local governments' affairs in Nigeria. The paper contended that the growing demand for an autonomous local government system holds great promise in this direction in that, it will help to strengthen the powers of local governments and make them focus on grassroots politics than being a stooge to the state; a situation which was driven by long period of state governments tricks to ensure that the third tier government remains under their apron strings. The paper further argued that, in spite of the useful potentials of local government autonomy, the need to check against the inordinate usurpation of powers of local governments by state governments demands a multi-faceted approach in its implementation as it affects both tiers of governments in Nigeria. To this end, the paper suggested additional ways of facilitating the achievement of this objective.

Keywords: Autonomy, Local Government, State encroachment, Power, Constitution

1. Introduction

The scholarly discourse and investigation in constitutional studies and federalism, particularly in respect of local government autonomy, is engendered mainly by the overbearing powers of the state and sometimes lack of elected executive chairmen at the grassroots. State encroachment into local government affairs and their total control of the local councils by appointed committees who are loyalist to the State Governors has thus triggered research works aimed at reversing such encroachment given the immense role that can be played in grassroots politics by the local government. In Nigeria, reforms have been articulated and executed in a bid to correct certain perceived excessive state encroachment, abuse of powers and the use of undemocratic leaders and caretaker committee to run the local governments by the state governments in Nigeria. Of all government reforms deliberately put in place to address this problem, the 1976 local government reform which for the first time recognised local government as a third tier, accords autonomous powers to the local councils and reduced excessive politicking of state over local government occupies an enviable place in Nigeria's political system.

Irrespective of the nature and extent of flaws that may characterise local government autonomy in principle and practice in Nigeria, it has, for fairly some time, become an important issue for considerations at the National Assembly. Not surprisingly, it has been subjected to various critical assessments. The foregoing nevertheless, not much intellectual efforts have been deployed in examining the local government autonomy as a vehicle for redressing inordinate usurpation of powers of local governments by state governments in grassroots politics in the country. The basic issue to which this article seeks to address is to, in an exploratory manner; examine the local government autonomy within the context of unrestricted local governments powers and authority over grassroots politics. The paper is interested in knowing whether the overbearing powers of states governments over local governments affairs can be checked, redressed or be put to control through the approval of local government autonomy and its inclusion in the country's constitution. If yes, to what extent, if at all, has it been approved or enforced? If local government autonomy is not embedded in the constitution, can it be lawfully and justly be used as an instrument to redress state encroachment over local councils' affairs in grassroots politics? If not, what options are available?

To ensure a systematic approach to tackling these issues, they are discussed under several headings. The conceptual framework and rationale for local government autonomy are discussed in the next section. In the subsequent sections the paper examines the overbearing powers of state over local government and utility of local government autonomy in redressing state encroachment over local government affairs through the local government autonomy and lastly conclusion.

2. Conceptual Framework and Rationale for Local Government Autonomy

The two key concepts of the discourse shall be conceptualised and put in appropriate contextual perspective

for clarity of intent as well as the reasons for local government autonomy in Nigeria

2.1 The concept of Local Government

Local Government is literarily seen as the government at the local level. Some scholars (Olowu 1988, Adeyeye, 2005) have distinguished local government depending on the political arrangement of the nation, i.e. unitary or federal system. Adeyeye (2005) defines local government in the unitary state as "non-sovereign community possessing the legal right but which are essentially administrative agents of the central government". On the other hand, the United Nations Office for Public Administration sees Local Government as:

A political subdivision of a nation (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.

All over the world, the local government system is the tier of government that is closest to the people. It is designed to bring governance and service delivery to rural and underserved communities. It is also an avenue for deepening democracy and decentralizing power through greater citizen participation in electoral processes and decision-making. It also serves as an arena for political development at the grass-roots level. Thus, Section 14(4) of the constitution states that:

The composition of Government of a State, a Local Government Council, or any of the Agencies of such Government or Council, and the conduct of the affairs of the Government or Council or such Agencies shall be carried out in such manner as to recognise the diversity of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the peoples of the Federation.

This Section of the Constitution has been termed by many authors as the "Local Government Character". It thus means that like what it is applicable to other jurisdictions, where the local government system is a tier of government so also in Nigeria, the system of local government is meant to be a tier of government at the grassroot, burdened with the sole responsibility of bringing the government closer to the people; as envisaged by Section 14(4) of the Constitution Adeyemo (2005).

Similarly, 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 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, through 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 maximised.

The implications of the above definitions are in four dimensions, these include:

1. Local government must be a legal entity distinct from the state and federal government.
2. Local government must be administered by democratically elected officials.
3. Local government must have specific powers to perform a range of functions assigned it by law.
4. Local government must enjoy substantial autonomy to perform array of functions, plan, formulate and execute its own policies, programmes and projects, and its own rules and regulations as deemed for its local needs. This autonomy includes power to control its finance, recruit and discipline its staff.

Based on these definitions, and their implications, could it be said that the local government autonomy will serve as a tool for removing incessant interference of the state over local government affairs? The paper seeks to provide answer to this question in subsequent sections.

2.2 The concept of Local Government Autonomy

Despite the initial differing conceptions ascribed to the local government autonomy (see Adeyemo, 2005). The full meaning of the term 'autonomy' has not been fully explained (Odufa, 1991). Local Government autonomy is the freedom to the Local Governments to exercise authority within the confines of the law or constitution. This is to enable them to discharge legally or constitutionally assigned responsibilities satisfactorily, but without undue interference or restraint from within or higher authority. This definition argues for adequate autonomy for LGs within the law for the purpose of performance, which actually guarantees it. Without performance, the law or constitution may not be able to guarantee even adequate autonomy for LGs as the people yearn for development. Autonomy operated within a democracy must be limited as indeed democracy limits the use of

power Imhanlahimi and Ikeanyibe (2008).

In view of these copious conceptual interpretations, the term “Local Government autonomy is perceived as local self-government or grassroots democracy”. This grassroots democracy is primarily aimed at giving the vast majority of the people the fullest opportunity to participate in determining their own destiny. But it is obvious that we cannot have complete autonomy or complete local self-government within sovereign states. If local governments were completely autonomous they would be sovereign states Adeyemo (2005).

Nwabueze (1983 as cited in Adeyemo, 2005) defines the autonomy under a federal system to mean that “each government enjoys a separate existence and independence 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, Court etc. 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.

According to Nwabueze, autonomy would only be meaningful in a situation whereby each level of government is not constitutionally bound to accept dictation or directive from another. In the view of the defunct Centre for Democratic Studies (cited in Adeyemo, 2005) local government autonomy refers to “The relative discretion which Local Governments enjoy in regulating their own affairs”. The extent to which Local Government are free from the control of the State and Federal Governments encroachment in the management of local affairs. In the same vein, Davey (1991) contends that:

Local autonomy is primary concerned with the question of responsibilities, resources and discretion conferred on the local authorities. As such discretion and responsibility are at the core of local government”. It presumes that local government must possess the power to take decisions independent of external control within the limits laid down by the law. It must garner efficient resources particularly of finance to meet their responsibilities, put differently; local autonomy is the freedom of independence in clearly defined issue, areas, as well as separate legal identity from other levels of government.

It is important to note that considering the country’s federalism and constitution there can never be an absolute autonomy because of the interdependence of the three levels of government and this bring into focus the inter-governmental relations of local government autonomy. The federal, state and local governments rule over the same population. If they are to achieve the purpose of their creation and not to waste the meagre resources at their disposal, there must be a definition of the boundaries or arena of operation of each of them. In essence, when one talks of local government autonomy in Nigerian’s polity, it refers to the relative independence of local government control by both the state and federal governments. Therefore, it is the nature and structure of transactions or interactions between the three levels of government that reveals the degree of local government autonomy Adeyemo (2005).

The country’s constitution clearly spelt out its position on Local Government autonomy, for instance the exit of the military and the enthronement of the democratic government in 1999 brought to the fore, again, some contradictions of local government autonomy. The provisions regarding local government administration in the 1999 Constitution created a lot of confusion. The 1999 constitution by its provisions in section 7 and 8 recognise the local government as a third tier of government and also guarantee it, but gives the state the autonomy to lord over the local government. Section 7 reads jointly with Section 8 provides that there shall be:

The system of local government by democratically elected councils (which) is by this Constitution guaranteed and accordingly, the government of every State shall, subject to section 8 of this Constitution.... ensure their existence under a law which provides for the establishment; structure, composition, finance and functions of such councils.

The implication of these provisions according to Asaju (2010) is that local government cannot exercise the functions assigned to it in section 1 schedule 4 of the Constitution until the State House of Assembly had passed a law. The same Fourth Schedule of the Constitution also provides for "the functions of the Local government Council to also include participation of such Council in government of a state as in respect of the following matters, education, agricultural materials resources, healthcare and any other function assigned to it by the State House of Assembly Asaju (2010).

2.3 Rational for Local Government Autonomy in Nigeria

Several reasons have been advanced for the quest for local government autonomy in Nigeria. The essence is to allow the local government specific powers to perform a range of functions assigned it by law and to perform

array of functions, plan, formulate and execute its own policies, programmes and projects, and its own rules and regulations as deemed for its local needs. This autonomy includes power to control its finance, recruit and discipline its staff. It is premised on the ground that when local government has power to take decisions on its own as regarding its finance, service to the local people in grassroots politics then, a sense of belonging is likely to be evoked from the local people. It is also sought for, and designed to lessen, if not avert, the belligerent state encroachment and the use of unelected leaders (care-taker committee) to govern the local government that has characterised Nigeria's democratic systems. This is well laid out as one of the issue to be address in the on-going constitutional amendment/adjustment in the country (A.B. Olabisi, personal communication, July 20, 2013).

However it is imperative to state that a close look at the local government autonomy as articulated in the different legal documents reveals that it is not foreseen to have under its realm total removal of state control over local government and its finance as the constitution specifically gave the power to create local government according to established laws to the state. This is accentuated by the fact that the issue of allowing unelected leaders to govern the local government, for the purpose of relegating to the background the utility of local government autonomy, has always been on such areas as "finance", "corruption" and "conflicting sources of revenue between state and local government". It is further reinforced by the fact that, in its implementation, some of these form the basis of the objections and oppositions to the approval of local government autonomy in on-going constitutional amendment at the National Assembly Olabisi (in personal interview July 20, 2013)

One other reason for local government autonomy is rural development, local government is closer to the people at the grassroots and when local councils have the powers of their own without any overbearing interference from the state, they could implement decisions or policies that will enhance rural transformation without having to wait for the state which in most cases focus mainly on the state development and neglecting the grassroots areas. In Nigeria, there are conspicuous cases by observations and News reports (see the National Dailies) that the money meant for rural development and provision of social services for people at the grassroots have been diverted and mis-managed by the State Governors. Local government autonomy will make local councils to have direct access to their finance with which to implement policies and decisions that will promote grassroots development in Nigeria.

Thus, even though the local government autonomy is, in part, designed to deal with the problem of state's excessive control and encroachment in local politics, it is not focused on absolute and total autonomy for the local councils. The question then arises as to whether the autonomy of local councils can be rightly used to address the problem of excessive politicking by the state in local politics. The paper shall first examine this and later the utility of local government autonomy in Nigeria.

3. Overbearing Powers of State Governments over Local Governments in Nigeria

The 1999 constitution by its provisions in section 7 and 8 recognise the local government as a third tier of government and also guarantee it, but gives the state the autonomy to lord over the local government. Section 7 reads jointly with Section 8 provides that there shall be:

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Contrary to Sections 7 and 8 of the 1999 Constitution which guarantee a system of local government with democratically elected officials in the country, state governors have retained the tradition of controlling the affairs of the third tier government through caretaker committees. This practice of running the affairs of local governments through appointed committees which remains operational in about 24 of the 36 states of the federation has been largely blamed for lack of sustainable development at the grassroots level in the country. The only reason dividends of democracy and development have not trickled down to the grassroots level in Nigeria is due to the way the leadership and resources of local governments are hijacked by the state governors, (C. Akpa, personal communication, July 6 2013).

It is imperative to note that some states in Nigeria have overbearing powers over local governments. In explaining the extent of state encroachment in Nigeria Obeche (n.d.) contends that:

From Anambra where council election has not been held since 1998 to Nasarawa where the governor is empowered by a state law to appoint caretaker committees in place of democratically elected officials to Imo where sacked elected council officials are still locked in a legal battle for their reinstatement, the story has remained the same: hijack of council resources. Even in Lagos State where elected officials are at the helm of affairs, the ruling party Action Congress of Nigeria (ACN) has been accused of imposing its own candidates in a bid to tele-guide the activities of the councils.

Obviously the statement above shows that local governments in Nigeria are nothing but mere stooge of the state governments who have adopted every trick to stop the local governments from having democratically elected leaders selected by the people rather than care-taker committees who are rather appointees of the state Davey (1991) . To buttress this fact, Nwabueze (1983) in Ugwu (2001), had observed that the Constitutional power to establish local government, define its structure, composition and functions, belong to the State governments. To them, as far as it is so, the local government is a mere state agency or a creation of the state government. It would therefore be erroneous to see it as an independent third tier of government. As such, the issue of autonomy of local government becomes a myth and not a reality. But it is important to note that there have been growing demands from the members of the public to free the local councils from the shackles chains of the state governments and grant them autonomy (Awotokun & Adeyemo, 1999). This view was corroborated by Obeche (n.d.) when he argued that:

Reacting to the growing public outcry over the hijack of local government administration in many states across the country, the House of Representatives in a unanimous decision on May 17, 2012 proscribed the practice, declaring it as illegal and in its place in recent time has approved local government autonomy

It is important to note from the above statement that the lawmakers had resolved that the caretaker system of governance is alien and unknown to the 1999 Constitution (as amended) and directed the governors of the affected states to promptly conduct council polls and transfer power to elected chairmen and councillors (Channel News on National Assembly sessions). Obeche (n.d.) reveals that twenty five of the thirty six states in the country have openly used inordinate tricks and unlawful schemes to avoid conducting local government election in their state and such states include: Abia, Adamawa, Akwa Ibom, Anambra, Bauchi, Benue, Borno, Delta, Edo, and Ekiti, Gombe, Imo, Kano, Kaduna, Katsina, Kebbi, Kogi, Nasarawa, Ondo, Osun, Oyo, Plateau, Yobe and Zamfara.

The resolution followed a motion sponsored by Hon Friday Itulah (Edo/PDP). While drawing the attention of the House to the matter, Itulah (in Obeche, n.d.) argued that state governments have been breaching Section 7 (1) of the constitution, adding that If this trend by state governments is not checked, it may bring the country to a lawless state. This paper notes that few of the affected states have since begun preparation for the conduct of council polls, other governors are still foot-dragging. It is believe that the reason is due to the financial straits plaguing many states in the country, as most governors' resorted to council allocations as crucial in funding their wage bills and development projects. Besides, the control of council funds enables them to wield power to secure their future political ambitions Obeche (n.d.).

The usurpation of Local Government functions and revenue sources by State Government is another serious area of eroding the autonomy of the Local Government. More often than not, parallel revenue boards, through the states unwittingly usurp and erode the revenue yielding areas of the Local Government. It is not uncommon to see such Boards to include market, motor parks, building plan approvals and forest royalty collection fund Adeyemo (2005). Moreover, political instability that strongly manifested in the polity is among the militating factors against autonomy of the Local Government. This is due to the changing and swinging of political pendulum that oscillates between Sole-Administratorship to Caretaker Committee System and the elected government Adeyemo (2005).

This was however scuttled in quick succession arising from the fact that there was no stable political system that could endure political socialization and actualization to germinate, and nurture the orientation for global acceptance. The most favoured system was the Sole-Administratorship that further ceded the Local Government to state control and erodes its autonomy (Oyelakin, 1992 in Adeyemo, 2005). It is important to point out that the drive towards local government autonomy has gained more momentum and force in the House of Representatives. Not only do the issue now occupy top agenda in their sessions of meetings, the issue has also been bolstered over the media. This suggests some gains in the effort to achieve greater local government autonomy. The greatest obstacle to this move is the state government (Hon. Itulah, personal communication at one of the sessions of House of Representative in Channel News July 12, 2013).

Military regimes according to Adeyemo (2005) did not fare better than their civilian counterparts on the issue of local government autonomy. Indeed, evidence supports the position that military regimes relegated local government autonomy through promulgation of various decrees, for instance, Section 34 of the “Local Government (Basic Constitutional and Transitional provisions) Decree”(Decree No. 15) of 1989 empowers the President, Commander in Chief of the Armed Forces to “if he is satisfied that the affairs of a local government are not being managed in the best interest of the community or in a way to strengthen the unity of the people of Nigeria or for any good cause” in doing the followings:

- (a) Remove the chairman, vice-chairman of the local government council from office or
- (b) Dissolve the local government council and appoint an Administrator to manage the affairs of the local government until an election to the offices of chairman, vice chairman and councillors for the local government council has been held, Adeyemo (2005).

Moreover, section 4(5) (3) (b) of the 1989 constitution provides that the local government Chairmen... executive power shall be so exercised as not to impede or prejudice the exercise of the executive powers of the federation or of state in which the local government area concerned is situated or to endanger the asset or investment of the government of the federation or of the state government in the local government area Adeyemo (2005).

It may be argued that the nature of Local Government politics, particularly in the past and under the military, has been labelled as very corrupt and wasteful this in no small way has undermine the autonomy of the local government. Corruption has been a noticeable feature of local government politics. It is also argued that politics at this level of government involves so much money which is squandered by the elected chairmen at the expense of the masses. It is, therefore, reasoned that given these facts, local government autonomy in the political process is bound to be negligible especially when chairmen and councillors positions are regarded as political goods meant for faithful supporters of the ruling political parties in the state (care-taker committee). In the same vein, corruption as evidenced in grassroots politics is not peculiar to only Local governments but other higher tiers of government also indulge in it (Adeyemo, 1996).

Finance is the bedrock of any meaningful development. Most of the Local Governments exist only for payment of salaries, as they depended both on the 10% state’s internally generated revenue that is either delayed or not forthcoming at all and federal allocation, which in most cases are deducted from sources for the payment of Primary School Teachers Salaries. The implication of this is that the local governments are grossly deficient in implementing their statutory duties to local people. Similarly, the continuous overbearing roles of the states over local government affairs possess a tremendous threat to the autonomy of Local Government. These can be seen within the realm of various contradictory rules, instructions, supervisory powers passed down to the local councils, some of which are outside the constitutional jurisdictions of the Local Governments Adeyemo (2005).

Also, Local government autonomy is thwarted and misplaced in Nigeria because of poor practice of federalism as stipulated in the constitution. Constitutional practices of federalism in Nigeria have been very difficult and unrealistic because of selfish interest of the political elites. Federalism is the constitutional division of powers between and among the tiers of governments (federal, state and local government) in a country, this goes to show that each of the tiers of government has its own power and functions bequeathed to each of them by the constitution, but is the constitution followed and adhered to in this regard? Observations have shown that the powers of the local governments in Nigeria are subject to the approval of the state. In the same vein; Adeyeye (2005) opined that the Nigerian Federalism remains a formidable problem is evident in the various contradictions of military rule and the decrees they have spurned.

Taking a critical look at Nigeria’s case, it can be inferred that it has been difficult to practice an enduring autonomy in Nigerian Local Government. Despite growing demand for an autonomous local government system that could speed up development at the grassroots level across the country, state governments have employed dishonest tricks to ensure that the third tier government remains under their apron strings and largely underdeveloped. This inordinate usurpation of powers of local governments by state governments has become a thorny issue requiring an urgent attention for the final unequivocal approval and inclusion of Local government autonomy in Nigeria’s constitution (M.B Adoke, personal communication July 5, 2013).

Thus, while the aforementioned factors might have inhibited the approval of local government autonomy in Nigeria, they do not provide all the explanatory variables. The perception of the nature of the utility of local government autonomy in the society is prejudiced against local governments and redefining that perception in a manner favourable to local governments in becoming an autonomous entity, is therefore, a significant step to addressing the problems of local government in Nigeria.

In the next section, the paper addresses the utility of the Local Government Autonomy in redressing Local Government Dominance by the State.

4. Utility of Local Government Autonomy in Redressing Inordinate Usurpation of Powers of Local Governments by the State Governments in Nigeria

Local government autonomy has some utility to offer Nigeria's political system and specifically the local councils, if approved and enshrined in the constitution. For instance with autonomy of local councils in place, the local governments across the country will be proud of elected and democratic leaders instead of the usual control of the councils by the state government through appointed care-taker committees.

At the heart of the local government autonomy, as the paper has rightly pointed out, is the attempt to eschew the overbearing powers of the state over local governments in grassroots politics in Nigeria. The definition of "autonomy" does not include absolute and total autonomous local government system both in the conception and implementation because of inter-governmental relations that emphasises interdependency among the levels of government in Nigeria. In this same vein Adeyemo (2005) argued that:

In essence, when one talks of local government autonomy in Nigerian's polity, we refer to the relative independence of local government control by both the state and federal governments. Therefore, it is the nature and structure of transactions or interactions between the three levels of government that reveals the degree of local government autonomy.

He also stressed further that:

The federal, state and local governments rule over the same population. If they are to achieve the purpose of their creation and not to waste the meagre resources at their disposal, there must be a definition of the boundaries or arena of operation of each of them. We can argue that there can never be an absolute autonomy because of the interdependence of the three levels of government and this bring into focus the inter-governmental context of local government autonomy.

Understandably, there are legal provisions which tend to guarantee the autonomous powers of all the tiers of governments including the local councils. But there is no explicit legally backed affirmative action to promote local government autonomy except that in the past, autonomy to elected chairmen and councillors is contained in chapter 8 part 1 section 283 - 307 of the 1989 constitution and in recent time it has been partly discussed and deliberated upon by the lower house of the National Assembly waiting for further debate at the upper house before it can be included as approved and practicable in the country's constitution.

Conceptually, the local government autonomy can be broadened to include provisions, which encapsulate clear-cut definitions of duties and powers of the local government. This could be by way of a clause stipulating area of jurisdiction and powers that can be fully exercise by the councils without any further interference from the state. However, some are wont to point to problems that may be associated with this constitutional/legal provisions. The fact of rigidity of constitutional provisions is not lost on this paper. To constitutionalize a guaranteed level of political autonomy for Nigerian local governments in certain political sphere may make such provision rigid. Rigidity in itself is not necessarily evil. The need for strict adherence to certain provisions may justify the rigidity of such provisions.

Furthermore, it may also be argued that allowing local government autonomy in Nigeria may imply sacrificing political stability, peace, rural development and good governance at the grassroots for crops of power intoxicated chairmen who may be at loggerhead with the state government over issue of tax collection jurisdiction, financial resources among other things. These and some other problems are likely to be thrown up. The paper noted the need to point out emphatically, that the whole idea for suggesting a legally or constitutionally guaranteed autonomy level for the local governments considering the fact that even sovereign nations are not autonomous since they are bounded by inter-national co-operation, commitment, laws and treaties.

Also, within the domestic political environment, governments are guided by some bodies of organic laws, norms and convention etc. which regulates their relations / interaction with the polity in certain political sphere is not to place local government in equal power strength with other higher levels of governments. Rather, it is meant to give responsibility and power to take decisions, governs and run the local governments by the democratically elected leaders rather than administrators or committee of care-takers.

To this end, such a provision could merely provide for autonomous local governments in, say, every state. In this way, even in states where Governors seem to play politics through different tricks by undermining the local government election, powers of the councils and their financial autonomy such provision will ensure the demise of such practices. In addition, it will facilitate the acceptance, by the generality of people that autonomous local councils can enhance grassroots development and the people at the local area will begin to earn the dividends of democracy. Administration's transition programme should include, the popular participation and political control of the grassroots, injection of new breed, into the nations body politics, introduction of multi (more) grassroots

based political parties, creation of more local governments, allowing presidential system of local government and the introduction of open voting system. These changes will give local governments throughout the country some degree of autonomy in achieving the basic objectives of their creation.

This provision can also be made transitional in which case it will operate for a specified period of time on probation so as to ascertain if it will be retained or discarded. These strategies will promote discipline, honesty and accountability among the local government leaders for fear of losing their powers and autonomy if they abused or mis-used it and it will enhance societal acceptability of the local government autonomy.

The paper also noted that while the suggestion for the broadening of the constitution to permit local government autonomy remains a valid and feasible option, promoting autonomous local government in a rapid and effective manner demands a multidimensional approach. In addition to the constitutional amendment/adjustment approach, greater emphasis should be laid on discouraging, by a combination of legislation and awareness, those beliefs and practices that are inimical to local government self-reliance and freedom from state government overbearing powers over them. The ultimate implication of these is that it will contribute to the elimination of the unfair treatment and mishandling of the local governments and inordinate usurpation of powers of Local Governments by the State Governments in Nigeria.

5. Conclusion

Prior to 1976 local government reform, local governments were shorn of democratic principles and political autonomy. The overbearing powers of state governments over the local councils have had significant negative impact on the backwardness of the local government councils in terms of meaningful and enduring development at the grassroots tilting the pendulum in outrageous subjugation and oppression of the local government apparatus by the state government.

Against this background, the paper examined the utility of the local government autonomy in redressing overbearing powers of the states over local councils in Nigeria. It is the contention of this paper that the autonomy of local councils can be obliging in this direction. Nevertheless, it (the paper) observed some precincts and proffered resolutions to them.

Finally, it is also argued that for an effective and quick move towards local government autonomy in the country, a multi-pronged approach requiring a combination of factors need to be adopted. To this end, importance should be laid on, inter alia, creating in people's mind a positive attitude to accept and abide with the local government autonomy and discouraging practices that will favour inordinate usurpation of powers of Local Governments by the State Governments in Nigeria, particularly those that are adversative to democratic principles such as non-conduction of local government elections, the use of undemocratic leaders or party faithful to govern the local councils and delay in remitting monthly allocation to local councils .

The paper concludes by noticing that reducing the inordinate usurpation of powers of Local Governments by the State Governments in Nigeria requires concerted and sustained effort. Considerable success in a twinkling of an eye will require some enduring time and understanding.

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