

The challenges and prospect of local government autonomy: A review from policy perspective

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Abstract

The State Joint Local Government Account has not been efficient and effective in the governance of local government, couple with inadequate funding, insufficiency of staffing arrangements, inappropriate institutions and excessive politicking as well as the problem of disconnect between the people and the government at the local level in Nigeria. Literature were sourced, collected and analyzed the qualitative results. Consequently, findings from the study indicated that states governments exploited the ambiguities contained in the provision of the 1979 constitution they relegated the aspects of the provision that abandoned the aspect of the 1976 local governments' reform and review that displeased and accepted those that were merely convenient, these provisions connotes that local government cannot exercise the statutory functions given to it, it include the schedule 4 (1) unless the state House of Assembly passed a law to that effect, the provisions of the 1999 constitution which declined the autonomy. The prospects comprises of granted the LGAs full self-rule, the remarkable land mark decision delivered by the Supreme Court in the year 2024. The study recommended for constitutional provision to mandate governors to ensure the finances of the local governments are paid into their accounts devoid of inferences of any kind, abolish the State and Local Governments Joint Account, the institutionalization of direct disbursement to the accounts of the local governments and avert unnecessary interference from the state governments.

Keywords: Autonomy, Challenges, Local Government, Nigeria, Prospects

1. Introduction

Across the globe, local governments were created to addresses a wide range of governance and community issues, such as structure, infrastructure, autonomy, election, efficiency, financing, function decentralization, territorial size, populace, and public policy as well as administration. The ways in which local governments are administered is largely determined by the system of government of the country. Consequently, local governments worldwide addresses the needs and aspirations especially at constituents' grassroots level of governance in the area (World Bank, 2022). In many countries

worldwide, local governments exist in order to decentralize the duties and functions of the central and state governments and foster involvement of democracy at the grassroots level. For instance, the United Nations Articles of Declaration, 1948 elucidated that local Government is a political sub-division of a nation which is established by law and has significant control of local matters particularly, the power to enforce taxes or to strict labour for prescribed reasons. Evidence on the use of robust joint account structures in Brazilian towns resulted in 25% better fiscal performance (Santos &

Silva, 2024). Furthermore, there have been contradictory outcomes on the adoption of India's joint accounts system through the Treasury Single Account (TSA) arrangement. Even though, there have been progresses in the fiscal monitoring, Kumar and Singh's (2019) research pointed some difficulties in the local implementation. The challenges of local government autonomy in the federal republic of Nigeria include constitutional provisions, financial problems and political instability among others. The unceasing overbearing role exercised by the states governments over local governments' matters became serious threat to the policy of local government autonomy. This has manifested within the various contradicting rules, supervisory powers and instructions passed to the LGAs, which some were even contradictory to the constitutional jurisdiction (Odoh, 2010). Categorically, political instability in the country moderates against the autonomy of local governments especially, political pendulum particularly, between sole administrators, caretaker committee system and the elected local officials. The caretaker committee and sole administrators systems most often degraded the LGAs to state control and thereby tarnishing their autonomy. Again, the arrogating of the local governments revenues and functions by the states in the country also erode their autonomy. Commonly, across the states is the interference in the income generation and royalties from motor parks, markets, buildings plans and approvals as well as other forestry payments (Odoh, 1991). He further, argued that the internal revenue is the cardinal bases of the LGAs argued that internal revenue is the backbone of local government autonomy yet, most local governments are heavenly dependent on the federal allocation to meet their statutory responsibilities. Based on this background this study answers two main

research questions, what are the challenges of local government autonomy and what are the prospects of the autonomy in the country. Equally, the article is structured into abstract, introduction, methodology, literature review on the concept of local autonomy government, theoretical framework, results especially the challenges of LGAs autonomy and prospects, recommendations, conclusion and references.

Africa, despite constitutional provisions, local government autonomy is often limited by states' interference. In many states, such as Nigeria, the use of "joint accounts" or state control over funds frequently undermines fiscal independence, transforming autonomy into a "mirage". True autonomy requires strict adherence to constitutional frameworks to ensure local governments serve as effective development agents (Okafor, 2010). The struggle for the autonomy of local governments especially in Nigeria has been a recurrent problem, a recap of the colonial system in the 1950s stated various reform in the northern Nigerian local governments provisional laws; the eastern and western regions but the regions undermined their democratization attempts by the colonial regime, nevertheless, the regions subdue and control the local governments. These trend had remained a matter of contestation up to 1976 when a nation-wide local government reform policy was introduced. Thus, the federal guidelines for the 1976 local governments' reforms was marked by various states governments' encroachment into their exclusive preservations.

Furthermore, this sequent embodiment provision was enshrined in the 1979 constitution, notwithstanding, this statutory provisions, successive administrations in the country had continued to undermine the autonomy of the local governments in the country. Ironically, various military regimes have

initiated policies to give local governments their correct positions through consistent revitalization and restructuring of the local governments system in nation. Otu, (2001) stated that the military regime of General Ibrahim Badamosi Babangida through the recommendations of the 1988 Dasuki led report scrapped the ministries of local governments throughout the country, thus, removed the bureaucratic red-tapism, political control, created by these in the effective functioning of the local governments in the country. Also, the election into the offices in 1987 was an effort to restore the powers of the local government autonomy at the grassroots since the last election held in 1976 which expired in December, 1979. Other efforts by the military regime include the approval of the scheme of service for local governments' employees in 1988; the straight disbursement of federal allocation were carried out to forestall the hijacking of money of the local governments by the state governments and the increment of statutory allocation from 10-15% in 1990 to 15-20% in the year 1992.

2. Literature Review

This section of the study reviewed previous studies on the concepts of local government autonomy, theoretical framework.

The Concept of Local Government

Local government were defined by different scholars for instance Golding (1981), stated that local governments are political authority created by a nation or state as lower authority for the purpose of diffusing or decentralizing political power. Accordingly, Ogunna (1988), viewed that local government is a political authority, purposefully created within the state government underneath a law through which local people surrounded by a definite area, organized to manage their own activities under the limit of the law which the authority is created. Similarly, literature has classified local governments

into Parliamentary, Presidential, Communist & Council Manager systems. The Nigerian local government systems are categorized into presidential system in which the executive arm of the local government is separated from the legislative arm (Udenta, 2007). In this system all the executive powers of the local government are vested in the chairman of local government or Mayor which the system operates as he is occasionally styled (Ogunna, 1996). The chairman or Mayor is elected directly by the electorates within his locality or the local government area. Categorically, it implies that the local government area is his constituency. The chairman assigns the political heads of the departments who assist him in the management of the Local Government. The stated public officers are answerable and accountable to him (Ikeji, 2002).

Similarly, the parliamentary type is a system in where by the executive and legislative arms of a specific local government are fused and merged. Categorically, the chairman and secretary are members of the council. The local government enjoys adequate local autonomy usually exercised by a popularly elected council who have a fixed tenure of office. The council being the uppermost political authority of the local government carry out its duties through committee system. The committees accomplish a great deal of executive functions. The council has exercised absolute control in the control of local government staff. In some countries especially, Britain and the U.S.A, specific local governments carry out the employment and management their staff directly. Others have separate local governments' staff management agency established by the central or state government responsible for appointment, promotion, discipline of their staff sometimes called Local Government Service Commission or Board (Udenta, 2007). Similarly, the Communist category

or model is originated from the defunct Soviet Union established on the ideology of democratic centralization which effectively integrates all the major institutions into the national economic and political agenda and framework. There exist features of communist party control, single candidate election and wide scope of governmental powers and control. However, the disintegration of Union Soviet Social Republic USSR, the communist system of local government witnessed multiple changes and modification as well as reforms (Ikeji, 2002).

The Council-Manager is a system where by the policy-making are entrusted in the hands democratically elected and politically assigned responsible council on the other hand the administration of the council policy are placed to a professional expert in the management and administration also known as the council manager rooted from the United States of America U.S.A. Specifically, during the Second World War in which the population of United States where half of the American cities ranges from 25,000 to 250,000 based on the 1968 estimated adopted (Ogunna, 1996). Literature has indicated that local governments were created for instance Okoli (2009) offered four policy rationale and reasons for the existence of local government. The first is that local government acquires its denotation and rationale only within the local confines of a national environment. Secondly, local government exists to fill a gap which the central government is established to fill. Under the circumstance the presence of local government becomes essential to carry out virtuously local activities.

Thirdly, local government exists only to implement the policies, ideas, objectives programmes and aspirations of the state. Fourthly, the ideology of the national government will, to a large extent, regulate

the structure and workings of local government. The policy establishing local governments, stated the following functions: firstly, maintenance of law and order, through the bylaws which they endorse to ensure orderly conduct, elude breaches of the peace and protection lives and property within the area. The by-laws are effective within a local government area, and enforced by security agencies. Secondly, provision of motor parks and markets, local governments offer and maintain motor parks and markets for the occupants of their localities. Thirdly, collection of rates, fees and rents, they collect charges, fees and rents for the development of their areas. Especially, tenement rates, fees on market stalls and motor parks, motorcycle and bicycle, licensing, television and radio levies. Fourthly, construction of feeder roads and drainages. Local governments construct and maintain feeder roads, drainages, tunnels, urban streets, culverts.

Fifthly, provision of recreational facilities, they make provision for recreational facilities particularly, swimming pools, football pitches, open spaces, amusement parks and other amusement and recreation grounds for relaxation as well as sporting events. Sixthly, local governments also make provision for health facilities such as health care centers, maternity homes, dispensaries, and site dumping waste /refuse dumps for waste disposal. They make provision health education facilities, public inspection services, and maintain public services like cemeteries, toilets and abattoirs. Seventhly, registration of marriages, births and deaths, they also carry out the policies on register issuance of appropriate certificates. Eighthly, provision of educational infrastructure and facilities, they provide and maintains public schools, adult education facilities and libraries. Ninthly, enlightenment campaign to educate the people on the policies and programmes of the

governments at various levels specifically, federal, state and local governments. Finally, local governments perform multi-sectorial functions on customary matters and naming and street maintenance in addition to agricultural and commercial services.

Concept of Local Government Autonomy

Local government autonomy can be seen as the extent to which local governments have discretion in carrying out their obligations. This can never be interpreted as absolute freedom for local governments to take whatever decisions they like. The extent of this autonomy differs from country. Similarly, Local government autonomy is the freedom of local councils to manage their own affairs politically, and administratively without undue interference from state or federal governments. It entails elected officials controlling local budgets, personnel, and service delivery, aimed at enhancing grassroots development. Nwabueze (1983) affirmed that the concept of autonomy in a federal simple means that each arm of government enjoyed separate independence and existence from the control of the other forms of governments. Consequently, autonomy entails legal and physical existence of the legislature, judiciary and executive. It equally, explains that each tier of government should exist independent of the other. It stated that each level of local, state and federal must exist in an independent and autonomous entity through the conduct of its affairs devoid of the directives of any level of government in the country (Nwabueze, 1983).

He maintained that autonomy would be meaningful in a situation that each level of government is constitutionally unbounded to comply with directives from the other. Again, he stated that local government autonomy in a federal system of government means that each order/unit of

government enjoyed a separate, independent and existence from the control of the other. Autonomy requires legal, physical and other apparatus of government such as legislative assembly, governor or the court as well as each operates with entity. Davey (1991) added that the autonomy of local governments is primarily concerned with issues of resources, responsibilities and discretion conferred on the local governments' authorities. It means that they have power to take decision on internal affairs, independency to issues of external control within the limits laid down by the provision of the law.

Justification for Local Governments Autonomy

Literature had justified many reasons for the granting of autonomy to local governments especially in federal republic of Nigeria. Firstly, it will strengthen decentralization of powers at the grass root level in the hands of the people at the local communities and enhanced rural development. Secondly, it will improve political education and enable the communities gain knowledge on the political processes and the entire political system. Thirdly, local government autonomy will accelerate even development across the rural, semi-urban and urban areas as every group reside within these domains. Fourthly, it will foster local participation of democracy within the local communities through the election of councilors, local campaigns and overall political participation in the local communities. Fifthly, it will guarantee the disposal of funds in order to provide basic social amenities, infrastructures and other services to people at the community level. Finally, it will enhanced and open windows for accountability, transparency and even development. Consequently, upon the citizen`s participation in governance, it will ease decision making process, financial empowerment, freedom

from external control, policy initiation and supervision as well as monitoring of programmes in the local governments (Ezechi, Musa, & Chidinma, 2024). Studies have identified two main forms of interferences which undermined the autonomy of local governments include political/administrative and financial interferences.

- a. Political/administrative interferences through the setting up of the care-taker committees system of governance in the local governments. In these cases state governors neglect the conduct of elections into the offices of chairmen and the councilors in their respective states. The use of care-takers committees had become norms as it was a way of intervening in their affairs. This system neglects the tenure of office and they could be appointed and replaced at any time (Ezechi, Musa, & Chidinma, 2024).
- b. Interference in the financial autonomy of the local governments, this particular intrusion is severe by the state governors in Nigeria, predominantly through the instrument of the State Local Governments Joint Account policy. Andrews (2012) and Ogban (2011) noted that state governments use the medium of State Local Governments' Joint Account (SJLGA) at the appendages of the state. Literature further revealed that state governments have been found to be manipulating, controlling deductions and giving the local councils peanuts from their statutory allocation through the use of the (SJLGA) and other misuse of their funds (Odo, 2003; Okolie & Eze, 2001; Oguntuase, 2012). Similarly, the local governments pay the LGAs workers their salaries.

Local Government Autonomy Globally

Local government autonomy is a globally recognized concept where local councils function as a legally recognized tier of

government, enjoying financial and political independence to manage local affairs and deliver services effectively. While ensuring local representation, its implementation varies, often struggling against control by sub-national (state) governments, particularly in emerging democracies like Nigeria. Globally, local government systems vary depending on their structure, leadership, and relationship with other levels of government. Generally, the UN recognizes local governments as important for democracy and managing local affairs, with autonomy largely defined by the degree of freedom granted by a national constitution rather than sub-national laws.

Accordingly, across the globe, local governments were established to perform some functions under the laws as follows; to help the central and state governments in carry out policies and functions, particularly, in those areas which required local knowledge and participation for smooth implementation; to provide appropriate services. They assist the central and state governments in peace and conflicts resolution specifically in the local areas; to sensitize and mobilize communities for their overall development and to facilitate the process of exercising democratic self-government and encourage leadership initiative potentials as well as serve as medium of communication to promote mutual understanding among the local communities (Oyediran, 1988).

Local Government Autonomy in Africa

Many countries especially in Sub-Saharan Africa inherited their local government systems from their former colonial masters. Hence, countries that were colonized by British (Anglophone Africa) adopted the English systems of local governments while those whom were colonized by France (Francophone countries) adopted the French model (Wraith, 1972). Local government

autonomy in Africa, particularly in Nigeria, is often hindered by state-level control, weak internal revenue generation, and, in some cases, a reliance on central government funding. While recognized in many constitutions, local councils frequently suffer from interference, with state governors often dissolving elected councils and appointing caretaker committees. In Nigeria, despite a July 2024 Supreme Court ruling mandating direct funding to local councils and banning state-appointed committees, state-level resistance has stalled full implementation, forcing continued, albeit legally challenged, reliance on state-controlled joint accounts (Osakwe 2015).

Local Government Autonomy Nigeria

The Nigerian Federation's federalism is the source of local government autonomy. Federalism is the delegation of power, duties, and resources of government. It also has to do with how tax powers are allocated and kept, and how centrally collected revenue is shared in component units or levels of government's constitutional obligations (Osakwe 1999) local government autonomy as the relative discretion which local government have the regulation of their own affairs (Defunct Centre for Democracys). Autonomy of the LG implies the extent to which local government be free from the control of the state and federal government in the management of their local affairs (Adeyemo, 2005:297). The financial authority of local governments has to do with the freedom of local governments to generate revenue within its shores and outside sources and the freedom to keep and spend the revenue without external interference or influence (Okafor, 2010:126) conceptualizes the financial autonomy of local government to mean "the freedom to impose local taxation, generate revenue within its assigned sources, allocate its financial and material resources, determine and authorize its

annual budget without external interference". (Adeyemo, 2005:278).

The SJLGA currently enshrined and in operation in Nigeria federal system, has been described by scholars as repugnant to economic growth and development. The purpose for the establishment of the SJLGA was to ensure transparency and accountability in the management of local governments' revenue.

Nigeria, local government autonomy represents the constitutional, financial, and administrative independence of the 774 local councils from state government control. A landmark July 2024 Supreme Court ruling mandated direct funding to councils, abolishing state-controlled joint accounts to promote grassroots development, accountability, and direct management of local affairs (Bakare, 2015). The key aspect of local government autonomy are: Financial autonomy that federal allocations must go directly to local governments, not state-controlled accounts, eliminating the joint account allocation committee (JAAC) mischief. Administrative independence, which local governments are meant to manage their own staff, development initiatives, and local security without interference or dissolution by state governments. Grassroots development, the proponents argue that autonomy allows for better provision of primary healthcare, rural infrastructure, and local economic development.

Theoretical Framework

This study utilized the developmental and accountability control theory in order to justify the creation of local governments to three cardinal aspect of development, accountability and control at the grass root level. In order offer the phenomenon of local government autonomy, Institutional Theory was also used to exposed the weakness and the incapability of state institutions to offer an autonomy to the 774 local government councils in Nigeria.

The Developmental and Accountability Control Theory

This theory specifically postulated that local governments are machinery and vanguard for effective change. This transformation incorporates social and economic development, national integration, work force, resource development and avenue for the betterment of national prosperity. In essence, this also argue that local governments created a medium of accountability and control due to the fact that people are acquainted with the elected officials and the achievement and success of these representatives can be used to judge how people perceived the overall performance of their respective duties effectively and efficiently for the collective better of the localities, the degree to which the elected officials accomplished their assigned functions and duties. These will further determine the level confidence and trust, hence, this will determine their re-election (Slater, 2011). Consequently, the developmental and accountability control theory serves as a testing avenue to the local government representatives. The developmental school of thought viewed local government as agent of development. The theory is invented from developing countries in an attempt to position local government as instrumental to development (Adeyemo, 2011). In connecting this theory, to the study, the local governments in the federal republic of Nigeria under various reforms for instance the 1976 was to ensure development at the community and grass root level. Despite that, due to the overriding of the local government autonomy in Nigeria rendered this theory weak. As well as other inconsistencies bedeviling the country's local authorities. The Institutional Theory adopted by this study offers an understanding on the challenges related to local government autonomy in the federal republic of Nigeria. It emphasized that institutions

especially (formal and informal rules as well as governance apparatus) substantially influence the attitude of actors and organizations in a political system. The Institutional theory suggested that the effectiveness of framework of legality depends on their existence and how well they are being enforced in a given institutional environment. In supporting the developmental accountability and control theory, the constitution and the court's ruling were in favour of local government autonomy, however, practical enforcement were blocked by systemic weakness especially political interference by the state governments inadequate resource and corruption. Thus, these barriers reflected deeply in the institutions operations (Ezechi, Musa, & Chidinma, 2024). Applying the postulations of institutional theory in Nigeria, it can be vividly observed that notwithstanding the legal provisions specifically the Supreme Court verdict in favour of local government autonomy, the theory signaled the weaker institutions deterred the realization of the complete autonomy at the local government level in the country.

The connection of this theory to the study expatiate the reasons which made local governments autonomy a mirage despite the constitutional and legal backing. It has also entrenched the norms and power dynamics between the states and local governments supporting the ongoing matters and offering a shade of understanding of the disconnect between the legal pronouncements and the practicability in the governance process in Nigeria.

3. Methodology

This study collected secondary data most sourced from journal articles, newspaper, reports and other internet resources. The data collected through qualitative method and were analyzed through content analysis. Findings and results obtained

were used in answering the two research questions, thus, facilitated in achieving the stated objectives.

4. Results and Discussion

This section of the results indicated the challenges and the prospects for local government autonomy especially obtained from the literature.

Challenges to Local Government Autonomy in Nigeria

Literature has indicated that lack of autonomy is a central challenges to as there is need for the local government to be truly autonomous vis-à-vis the state and federal governments. Again, the challenges, these include the defects of the pre-1976 local government system was the continued encroachment of the exclusive preserve of the local governments. Other challenges comprises of inadequate funding, insufficiency of staffing arrangements, inappropriate institutions and excessive politicking as well as the problem of disconnect between the people and the government at the local level. Similarly, states governments exploited the ambiguities contained in the provision of the 1979 constitution and successive reviewed the constitution to suit their self-interest desires. They relegated the aspects of the provision that abandoned the aspect of the 1976 local governments' reform and review that displeased and accepted those that were merely convenient.

Typical example is that throughout the Second Republic, 1979-1983, there was no election held into the local government council, only sole administrators and caretaker committees were appointed. This contradict the 1976 reforms and the provision of the 1979 constitution, that stated in section 7 provided that a democratically elected local government councils (Ugwu, 2014). The recurrence of the military into politics in 1983 taken into the local governments control from the state to federal government. There were

conscious efforts at a radical transformation of the position of local governments with greater powers and resources been shifted to the local councils especially, the 1988 reform.

Nevertheless, the departure of the military and the subsequent handing over power to the democratically government in 1999 renewed the confusion and challenges of autonomy. For instance, the provision in the sections 7 and 8 acknowledged that the local government is a third tier of government and at the same time gave states the powers to control them. The provision stated that there shall be system of local government with democratically elected councils, the government of each state shall subject to section 8 of the 1999 constitution ensure they exist under the law, it provided for the establishment of structure, finance and functions of the councils (FGN, 1999). By implication, these provisions connotes that local government cannot exercise the statutory functions given to it, in schedule 4 (1) unless the state House of Assembly passed a law to that effect.

Similarly, another contradiction in respect of the tenure of the council political officials, the same constitution provided for four years in office in the federal and states political officials, but remained silent in the tenure of the local government elected officials. Additionally, the constitution on the provision of the concurrent legislative list offered the National Assembly the prerogative and power to legislate in respect to registration of voters as well as the procedure to regulate elections into local governments' councils. These became a friction between federal and states as it was witnessed between Lagos state and the federal government of Nigeria.

Likewise, another controversy of the provisions of the 1999 constitution which declined the local government autonomy, provided that an empowerment to the state

governments in determining and establishment of new local governments areas. Conversely, Section 8 (6) of the constitution entrusted and vested the National Assembly to power to approve these newly created LGAs prior to become legal entities. Thus, these provisions created tussle for the administration and control of local governments between the federal and states. Instance are that in the Second Republic some states such as Oyo, Lagos, Niger and Kogi states among others created and established new LGAs based on this constitutional provision and were unrecognized by the federal government. Furthermore, LGAs autonomy is related to funding, the same constitution empowers the states governments to inspect and approve their budgets and expenditures via the states House of Assembly (Asaju, 2010).

Therefore, many states have demoralized this constitutional provision to exercise arbitrary and excessive control over the LGA's funds through the establishment of state-local governments joint account which is one of the major challenges to the LGAs autonomy, specifically, many states dominate their statutory grants, thereby denying the local councils the money to carry out policies to address essential services for the better of the lives of the common man at the grass root. Aside the arbitrary deductions through the joint account, many states governments mandated the LGAs to carry out outrageous projects that have less direct bearing with the people and the localities under excuse of uniformity of developmental policies (Asaju, 2010).

Prospects for the local government autonomy in Nigeria

This section of the study revealed the potentialities for a futuristic autonomy for the Nigerian local governments putting into cognize, firstly, the 1999 Constitution Federal republic of Nigeria which provides that for the autonomy establishing them as

third tier of government, particularly Section 7 which guarantees democratically elected local councils and empower them to effectively function independently. Despite the constitutional provision, the implementation of this especially by the states governors, State and Local Government Joint Account this had limit the financial independence, absence of fiscal and administrative autonomy. Over the years, there were movements and call for review of the constitution to grant the LGAs full autonomy.

Secondly, in one of the remarkable landmark decision delivered by the Supreme Court, on the 11 July, 2024, in a case of the Attorney General of the Federation v. the Attorney General of Abia State and 35 others. The Court reinforced that the Local Governments in Nigeria, thus, their status were affirmed and categorically as distinct third tier of the government in the country. This decision rose from a case filed the Federal Government via the Attorney General of the federation. The Originating summons to determine and inquire several questions, whether it is constitutional for the State Governors to withhold the money allocated to Local Governments coming from the Federation Account and if LGAs are entitled to receive direct payments from the Federation Account considering the consistent failure of States Governments to disburse these finance (Baraatu, et al, 2025).

The decision categorically upheld principally that Local Governments are constitutional eligible to receive their share of money directly. In reinforcing these judgments, the Court emphasized financial autonomy and independent roles in the country. It make clear that the withholding and use of the funds allocated to the LGAs from the Federation Account by States Governments is unconstitutional, illegal and breach the principle intended to ensure that the stated funds benefit them directly, FGN has the constitutional and authority to

make financial disbursement from the Federation Account but these payments can be made through the States Governments in as long as these payments will benefit the LGAs. Consequently, Section 7 (1) of the Constitution recognized that LGAs as the third tier of Government, their leadership must be recognized as being independent and democratically elected (Baraatu, et al, 2025).

Discussion of the Findings

This section of the study discusses the results of the study and subsequently answer the stated research question and achieve the objectives of this study. A recap of the first research question stated that: What are the challenges of local government autonomy? In answering this question, the results from the literature revealed that lack of autonomy is a central challenges to as there is need for the local government to be truly autonomous vis-à-vis the state and federal governments. Other challenges comprises of inadequate funding, insufficiency of staffing arrangements, inappropriate institutions and excessive politicking as well as the problem of disconnect between the people and the government at the local level. Corroborating this study, prior study agreed with the results, thus, previously, local governments had been treated an agency and extension in the state governments and were supervised through ministry of Local governments in every state of the federation. Supervisory power was used to the disadvantage of their autonomy (Anyebe, 2017). Furthermore, Doho et al, (2025) corruption, Poor delivery of service, State–Local government joint projects, Poor Manpower Planning, Appointment of Caretaker Committees and Constitutional issues were identified as other challenges to the autonomy of LGAs in the country.

Typical example is that throughout the Second Republic, 1979-1983, there was no

election held into the local government council, only sole administrators and caretaker committees were appointed. This contradict the 1976 reforms and the provision of the 1979 constitution, that stated in section 7 provided that a democratically elected local government councils (Ugwu, 2014). Prior studies upheld the findings of this study, the Federal Government of Nigeria has sustained some anti-autonomy processes inherited from pas regimes. For instance, the management of primary school education via Universal Basic Education (UBE) and the use of State Local Government Account (SJLGA) usually maintained by the state. Furthermore, the state governments carry out many deductions especially counter funding of projects and income tax were observed to be a challenge (Anyebe, 2017).

Another challenges discovered is the Section 8 (6) of the constitution entrusted and vested the National Assembly to power to approve these newly created LGAs prior to become legal entities. Thus, these provisions created tussle for the administration and control of local governments between the federal and states. Literature has agreed with the findings of this study which attested that pitifully, the constitutional loopholes or contradictions tend to provide some impetus for dubious state officials to nurse undue desire for evading the LGA. The frequent abuse of the provisions pertaining local government in constitution 1979, 1989 and 1999 particularly by the state government reviewed the struggle for local government governance and autonomy (Ezechi, et at, 2024).

Furthermore, LGAs autonomy is related to funding, the same constitution empowers the states governments to inspect and approve their budgets and expenditures via the states House of Assembly (Asaju, 2010). Specifically, many states dominate their statutory grants, thereby denying the

local councils the money to carry out policies to address essential services for the better of the lives of the common man at the grass root. Aside the arbitrary deductions through the joint account, many states governments mandated the LGAs to carry out outrageous projects that have less direct bearing with the people and the localities under excuse of uniformity of developmental policies (Asaju, 2010). Agreeing with the results of this study, prior studies confirmed that the encroachment of local funds and the degree of interferences by the state government as it relates to revenue sharing have consistently remained issue of contestation in the nation's polity. This has negatively deter the performance local governments on the constitutional obligations. The situation continued affecting them day by day (Doho, et al, 2018).

The second research question stated that: What are the prospects of the autonomy in the country? In answering this question, the results indicated that firstly, the 1999 Constitution Federal republic of Nigeria which provides that for the autonomy establishing them as third tier of government, particularly Section 7 which guarantees democratically elected local councils and empower them to effectively function independently. Despite the constitutional provision, the implementation of this especially by the states governors, State and Local Government Joint Account this had limit the financial independence, absence of fiscal and administrative autonomy. In agreement with the results of this study, Akpan & Ekanem (2013) stated that at the moment, the members of the National Assembly have agreed with the idea of freeing the local governments from unnecessary interference of state governments through the amendment of section 7 and 162 of the 1999 constitution, the drafted amendment recommended for the formation of a Special Federal Account

through which the 774 local governments their federation allocation without the influences of state governments.

Secondly, in one of the remarkable landmark decision delivered by the Supreme Court, on the 11 July, 2024, in a case of the Attorney General of the Federation v. the Attorney General of Abia State and 35 others. The Court reinforced that the Local Governments in Nigeria, thus, their status were affirmed and categorically as distinct third tier of the government in the country. This decision rose from a case filed the Federal Government via the Attorney General of the federation. The Originating summons to determine and inquire several questions, whether it is constitutional for the State Governors to withhold the money allocated to Local Governments coming from the Federation Account and if LGAs are entitled to receive direct payments from the Federation Account considering the consistent failure of States Governments to disburse these finance (Baraatu, et al, 2025).

In supporting the results of this study, the Babangida's and Buhari's regimes initiated reforms from 1983-1985 and the 1986-1992 which was rated as the most remarkable of all the restructurings, it amplified the local financial autonomy through ensuring the local governments receives their federal allocation directly, abrogated the ministries of local governments, search for a viable political future for the local governments and introduced executive and legislative arms in the local government system of the country. Furthermore, the politics of local government in the country was revamp in 2013 constitutional amendment process originated by the National Assembly with the objective of actualizing the local government autonomy from another perspective (Akpan & Ekanem, 2013).

5. Conclusion and Recommendation

This study relied on the literature and discovered a lot of findings which gave significant insight into the level of challenges and prospects of local government autonomy, the State Joint Local Government Account has not been efficient and effective in the governance of local government in Nigeria. One of the reasons for the establishment of the SJLGA is to put an end to wasteful spending and corruption in the governance of the local government. Disbursement of funds from the state to local governments was inefficient and ineffective, thus, cause more injury than ever. At the epoch of the joint account, local governments suffer from corruption, delay in payment of salaries, inadequate infrastructure among others. This implies that the continual interference in the jurisdiction of local government by the state government has disregard the constitutional recognition of the local government as a tier of government and the autonomy it supposed to enjoy. The results has shown the trials, these include the defects of the pre-1976 local government system was the continued encroachment of the exclusive preserve of the local governments. Other challenges comprises of inadequate funding, insufficiency of staffing arrangements, inappropriate institutions and excessive politicking as well as the problem of disconnect between the people and the government at the local level. The paper also revealed that the provisions of the 1999 constitution on State-joint Local Government Account system and its financial management relegated and undermined the powers of the local government councils to enhance rural developments.

The challenges of local government autonomy is hindering the local government councils in Nigeria to effectively perform their constitutional and statutory roles which should enhance the

rural development of their localities and thus making citizens at the grassroots to enjoy the dividends of good governance and democracy. The operation of the SJLGA gave the state governments more powers over the local governments in such a manner that the states divert funds meant for the local government on expenditure meant for states. It is also discovered that Section 7 (1) of the 1999 constitution of the federal Republic of Nigeria (as amended) stipulates that Local Governments are to protect the common interest of the community in their areas of jurisdiction. In doing this, local governments are to embark on community projects that have the capacity of improving the wellbeing of the people. Section 7 (3) of the same constitution corroborates this. It states that it shall be the duty of a local government council within the state to participate in economic planning and development in its area of jurisdiction. The 1999 constitution equally spells out the functions of local government council in the fourth schedule. The land mark judicial functions are expressly directed at making the Nigerian local government system as effective agent of grassroots governance development. the remarkable land mark decision delivered by the Supreme Court, on the 11 July, 2024, in a case of the Attorney General of the Federation v. the Attorney General of Abia State and 35 others. The Court reinforced that the Local Governments in Nigeria, thus, their status were affirmed and categorically as distinct third tier of the government in the country.

Recommendations

In order proffer solutions to the challenges of local government autonomy in the country, this study forwarded the following recommendations. Firstly, the state council should deliberate and recognized the constitutional provision to mandate governors to ensure the finances of the local governments are paid into their accounts devoid of inferences of any kind.

Secondly, the State and Local Governments Joint Account should be abolished, thus all unconstitutional deductions must be stopped and all unnecessary delays in disbursement to allow for the proper utilization of the funds in various developmental projects in local communities like rural electrification, roads, health care centres, portable water drinking and provision of educational infrastructure. Thirdly, institutionalization of direct disbursement from the federation allocations to the dedicated accounts of the local governments and avert unnecessary interference from the state governments. Fourthly, constitutional and judicial provisions as well as proclamations should

be obeyed for instance the 1999 Constitution Federal republic of Nigeria which provides that for the autonomy establishing them local government as third tier of government, particularly Section 7 which guarantees democratically elected local councils and empower them to effectively function independently. Similarly, the resolution of Supreme Court especially the recent verdict in the year 2025 should be respected. Finally, this study recommended a review in the constitution to allow the Independent National Electoral Commission to conduct all local governments' election in the 774 LGAs in **the federal republic of Nigeria.**

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