

# TENURE OF ELECTED OFFICERS OF LOCAL GOVERNMENT IN NIGERIAN AND THE POLITICS OF MAJORITY PARTIES IN NIGERIA

Tyodzer Patrick PILLAH<sup>1\*</sup>, Chukwujindu Favour<sup>2</sup>

<sup>\*1-2</sup> Department of Public Administration Faculty of Management Sciences, Veritas University, ABUJA

<p><b>Corresponding Author</b> Tyodzer Patrick PILLAH</p> <p>Department of Public Administration Faculty of Management Sciences Veritas University, ABUJA</p> <p><a href="mailto:pillahp@veritas.edu.ng">pillahp@veritas.edu.ng</a></p> <p>2348036275160</p> <p><b>Article History</b></p> <p>Received: 10 / 09 / 2025</p> <p>Accepted: 26 / 09 / 2025</p> <p>Published: 02 / 10 / 2025</p>	<p><b>Abstract:</b> Political tenure in the Local Government Areas of the elected chairmen and counsellors has been a common phenomenon in Nigeria. This general phenomenon has its beginning from the military era (1966–1998) and has not changed much even with the return of the country to democratic governance in 1999. Nigeria has 36 states and 774 local government areas. Nearly 90% of these local government areas are without chairmen and counsellors. In their place, state governors set up caretaker committees that are now saddled with local governance. This paper provided insights on the causes and effects of this trend on the local government system in particular and grassroots development in general with special reference to the local government areas in Nigeria. In Nigeria, local governments were established to bring grassroots development closer to the people. In order to do this, the constitution and other relevant documents included provisions for the presence of elected officials and important personnel, whose responsibilities include assisting in the management of local government matters. However, it is widely held that in Nigeria, elected officials and important local government employees have not worked together to carry out their responsibilities effectively, depriving the local government of the much-needed development. The study's goals were to evaluate the elected officials' dedication to their positions, their interactions with important local government figures, and the resulting impacts on growth. Both primary and secondary data were gathered for this work using the descriptive research approach, and articles, journals, textbooks, theses, and published and unpublished writings were reviewed for the literature review. The results showed that important officials and elected officials had neglected their responsibilities and engaged in internal strife. These have had a big impact on grassroots development. It was determined that local development objectives would not be met if this practice is not stopped, especially as the nation's democracy grows. According to the study, in order for significant progress to occur at the local level, elected officials and important staff members must grow to trust and appreciate one another. The paper recommended measures that could be used to put a permanent end to this political quagmire, among others that both elected offices and key functionaries must show sufficient commitment to their duties for better decision making and service delivery.</p> <p><b>Keywords:</b> local government, elected officers, tenure, politics, majority, parties, Nigeria.</p>
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## Introduction

One of the most important aspects of a democratic government is the stability of elected officials' terms. All across the world, constitutional governments provide elected officials a set term of office in order to maintain political continuity, stability, and uniformity. Section 7 (1) of the Federal Republic of Nigeria's 1999 Constitution, which states, among other things, that the system of local government by democratically elected local government councils is guaranteed, specifically provided for a set term of office for elected local government officials. According to Dawson (2007) and Dhikru, Adeoye, and Akinola (2007), this clause stems from the 1976 local government reforms, which defined local government as local government carried out by representative councils created by law to exercise particular functions within designated districts. However, an examination of Nigeria's Third Tier of Government reveals a turbulent past of unstable political leadership. From the military invasion of the

country's politics in the 1970s to the current democratic era, the political executive at this level has experienced tenure instability. The political leadership of local governments throughout the federation's states has experienced several instances of tenure instability that have all but destroyed their existence, although the higher echelons have benefited from relative tenure security. For instance, at least 25 of the federation's states have had no democratically elected officials since 1999. It should be mentioned that Nigeria has 774 local governments. At this level of government, caretaker committees are used more frequently than ever before. At the expense of democratically elected councils, this new phenomena in our local governments is progressively taking hold (Lynn, 2012; Alapike, 2014). Therefore, the purpose of this study is to gather data regarding the tenure instability of elected officials at the local government level and the

consequences for the growth of the Nigerian federation's local government areas.

### Statement of problem

In Nigeria, local government is the level of government closest to the people and has the authority to regulate the activities of those within its jurisdiction. Every country in the globe has a local government structure, although one that is unique. The local government administration in Nigeria has evolved into and been recognized as the third tier of the Nigerian Federal Republic's governmental structure as a result of numerous reforms, executive orders, and decrees, as well as real actions. According to Ola (1984), local government is a form of local government that is carried out by a representative council that has been legally created to exercise particular functions within predetermined boundaries. Through the devolution of functions to these councils and the active participation of the people and their traditional institutions, these powers give the council significant control over local affairs, the responsibility to provide services, and the ability to decide on and carry out state and federal projects in their areas. They also guarantee that local initiative and response to needs and conditions are maximized. As such, it fulfills its constitutional or statutory duties as an administrative level and, according to system theory, acts as a support system for the survival and well-being of the other levels of the Nigerian government as well as a grassroots development agent. To accomplish its objectives, local government's elected officials and appointed officials must cooperate in order to carry out their legally mandated responsibilities. However, the experience thus far has demonstrated that the socioeconomic function of local government has been marginalized, with key officials and elected and appointed officials frequently mired in disputes because they view power as a means of accumulating wealth rather than providing services to the public.

### Objectives of the study

The main goal of this research is to evaluate how local government elections affect the political growth of elected officials in Nigeria and their fundamental responsibilities while in office. Among the specific goals are (1) evaluating the part played by state political leaders in deciding local government representation in Nigeria and (2) evaluating the work done by SIECs in overseeing local government elections.

### Scope of study:

The study covers the entire 774 local government area councils within the federation of Nigeria and their constitutional defined elected officers tenure of office including the role of their major political parties within their localities.

## Review of Related Literature

### Conceptual clarifications

A number of concepts that are considered germane to this study are to be examined in this section. They include the following:

- Election.
- Electoral Commission or State Independent Electoral Commission (SIEC).
- Local government.

### Election

Poll and election have the same meaning. This explains why in political discourse, they are frequently used interchangeably. The process of choosing public servants to serve in the various decision-making tiers is known as election. Since any error on the part of any electoral stakeholder might undermine all subsequent efforts, it is the most important step in the "electoral processes."

Election as a concept has attracted a plethora of explanations from scholars of different climes and of different ages. Justice cannot be done to all of them in this work; rather the concept shall be explained in reference to few such positions.

Elections are "the processes through which leaders are appointed to and/or selected for an office," according to Yakub (2010:33). He warns that the original and literal meanings of the terms "appointed" and "selected" should not be interpreted as compromising the freedom of the people to express their will. The process that creates public office holders is more significant. Regarding this, he believes that the most important component of reliable polls is the presence of an impartial election management body (EMB). It should be highlighted, nevertheless, that Yaqub's notion of election is not limited to party politics, which is the exclusive avenue by which candidates can run for public office in a modern democracy. Instead, it defines the concept in general term, that is, whenever the leadership of an organisation or establishment is determined via casting the votes or show of hands, election has taken place.

Elections are "the process of selecting one or more for an office, public or private, from a wider field of candidates," according to Dumoye (2010:1). Once more, Dunmoye's definition of election has a flaw in that it does not link party politics to elections. Additionally, while voting is not a work that belongs to everyone in a society, the definition portrays elections as a habit that can be completed by everyone. Instead, a person must fulfill specific qualifications before being permitted to take part in an election process.

According to this study, any definition of an election in a political context needs to relate it to party politics. This can be found in Harris's (2019) definition. He describes an election as "an occasion that allows political parties to present their platforms and candidates to eligible voters" (2019:327). In addition to tying elections to party politics, this definition stipulates that a person must meet specific requirements in order to participate in the electoral process—in this case, voting. However, the question that is brought up is what would happen if a nation adopted a "zero party system," which is a system in which political parties do not exist and candidates are chosen solely on the basis of their qualifications. Or what happens when a nation's constitution permits "independent candidates" to run in its elections, as was the case in Nigeria during the First Republic? Can an election be held? According to this study's stance on these matters, the idea that any definition of election must be related to party politics does not apply once a state's electoral law or constitution has specified the parameters of its electoral process. But more importantly, election has no substitute to produce the membership of a new set of ruling elites in any society. This position is in tandem with the view of Boynton (2021) who while stressing the importance of election in any democracy posits that:

Some are born to office, some rise through military or civilian bureaucracies, and some are elected to office. Election is a distinctive route into the political elite; it is an avenue that distinguishes legislators from most other members of a nation's political elite because their members are selected by election. (p. 280)

However, in a liberal democracy, the legislature alone does not hold the aforementioned view. Other institutions are included. Additionally, it encompasses the executive branch at all governmental levels, including local government councils. Elections are important because, under normal circumstances, they result in "responsive and responsible government." Additionally, it communicates people's desires to the government at a higher level. For example, a government's unpopular policies may cause the electorate to vote against it.

### **Electoral Commission or State Independent Electoral Commission**

Electoral Commission is the body saddled with the responsibility of organising and conducting election in a state. In most countries, they are usually constituted by the executive head of the country.

McLean and McMillan (2009) explain an electoral commission as:

A non-partisan body which determines election procedures and district boundaries and oversees the conduct of elections. (p. 165)

The above definition explains an Electoral Commission from the perspective of its major functions in any clime. But more importantly, it explains it as an apolitical institution. Its neutrality must not be faulted on any ground by the major electoral stakeholders. Any time the opposite is the case, the election it conducts will lose credibility.

The name of the Electoral Commission typically varies depending on the political system. It is currently known as the "Independent National Electoral Commission" (INEC) at the federal level in Nigeria, while the "State Independent Electoral Commission" is the name at the state level. This demonstrates that Nigeria has a commission system with two elections. In Zimbabwe, the "Zimbabwe Electoral Commission" (ZEC) is the organization that plans and runs elections. Whatever its name, electoral commissions serve the same purposes in all democratic systems. However, depending on the climate, these functions may vary in size. But in essence, organizing and running elections continues to be their primary responsibility. In the case of Nigeria, Section 15 of the Third Schedule of the 1999 Constitution of the Federal Republic of Nigeria stipulates the powers of INEC. Of interest to this study is Section 15(a) which provides that INEC shall have power to:

Organise, undertake and supervise all elections to the offices of the President and Vice-President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and House of Assembly of each State of the Federation. (Federal Republic of Nigeria 199:143)

This power excludes organising elections into local government councils in the country. This power is separately granted to another EMB known as 'State Independent Electoral Commission' by the Constitution.

Section 3 Part II of the Third Schedule of the 1999 Constitution of the Federal Republic of Nigeria makes provision for the establishment of SIEC. Section 4 of the constitution defines the powers of the EMB as:

to organise, undertake and supervise all elections to local government councils within the state

to render such advice as it may consider necessary to the INEC on the compilation of and the register of voters in so far as that register is applicable to local government elections in the state (Federal Republic of Nigeria 2019:148).

The aforementioned clauses make clear that SIEC's exclusive responsibility is to plan and carry out local government council elections. This is in contrast to INEC, which is in charge of planning and carrying out national and state elections. However, because SIEC continues to use the voter record that INEC generated, it continues to be the better EMB. However, in terms of operations, it has no regulatory authority over SIEC. This suggests that they all have a great deal of independence. Additionally, Section 154 of the Federal Republic of Nigeria's 1999 Constitution grants the federal government the authority to determine INEC's membership, while Section 3 of Part II of the same constitution grants state governors the same authority to determine SIEC's membership. SIEC is formed of "a chairman; and not less than five but not more than seven other persons," in contrast to INEC, which has an organizational structure primarily made up of the Chairman and National Commissioners (Section 3, Part II of the 1999 Constitution of the Federal Republic of Nigeria:148).

### **Local government**

Local government is regarded as a tier of government in Nigeria. Nigeria operates three tiers of government, namely, federal, state and local. Section 7 of the 1999 Constitution of the Federal Republic of Nigeria gives local government system a legal impetus. The Section provides that:

This constitution guarantees the existence of democratically elected local government councils as the system of local government. Accordingly, each state's government must, subject to section 8, ensure the existence of these councils by enacting legislation that addresses their formation, composition, structure, funding, and operations. (Nigerian Federal Republic, 1999:5)

Local government is described as "a governing institution which has authority over a sub-national territorially defined area; in federal systems, a sub-state territorially defined area" by McLean and McMillan (2009:213). The writers went on to say that local government power originates from its elected foundation. According to Appadorai (2004:7), local government is run by elected bodies tasked with carrying out executive and administrative functions pertaining to the residents of a region, district, or location.

The International Union of Local Government Authorities (IULA) defines local government as:

- That level of government with constitutionality defined rights and duties to regulate and manage public affairs which are constitutionally defined for the exclusive interest of the local population. These rights and duties shall be exercised by individuals that are freely elected or

appointed with the full participation of the elected body. (cited in Bello-Imam & Uga 2004:7)

- What is common with all the definitions of local government mentioned above is that they all see the system of government as an elected institution. This therefore negates the current practice of caretaker system in Nigeria.
- Egonmwan's (1990) main contribution to the discourse on the literature definition of local government is the imperativeness of the system of government in any clime. According to him, local government is important because of the following reasons:
- There are many amenities and services that can be best provided on a local basis rather than on central basis especially where the needs of the people are many and the resources of the central government are insufficient to cover all the requirements demanded.
- The Central Government in most cases is remote from the local community and cannot be expected to know the individual wishes of the many communities carrying on their lives all over the country. This problem according to Egonmwan is better resolved by having local government.
- Different towns and different districts have different traditions and customs perhaps different languages. These traditions and customs are better preserved under local government.
- Local government provides a healthy spirit of competition between units of population making them jealous of each other's standard and eager to develop their own standard of living.
- Local government provides a secured and peaceful background in which the individual members of the society may pursue their prosperity and happiness.
- Local government provides services which members of society want and are prepared to pay for but as individual citizens they could not buy or provide for themselves, for example, roads and water supply (Egonmwan 1990:41–42).

According to this study, the successful fulfillment of local government's legislative obligations is the only way to make its significance a reality. For example, the primary duties of a local government council in Nigeria are outlined in the Fourth Schedule of the Federal Republic of Nigeria's 1999 Constitution. However, it is essential to note that a local government council can only carry out its duties in an environment that is favorable, which can only be ensured by its independence.

#### **State Independent Electoral Commissions and the conduct of local government elections in Nigeria**

Nigerian local government council elections did not follow a standard procedure. Native authorities, as they were formerly known, did not follow a consistent pattern from 1951 until the fall of the First Republic in 1966. The administration of local governments was determined by each regional government. The colonial system of native administration, which was run by traditional leaders, chiefs, and elders, was first transformed into a contemporary form of grassroots self-government through elected representatives in the Western Region in the 1950s. The Eastern Region did the same. Despite efforts to include an elected element

into the native authority system in the non-Muslim "Middle Belt" regions of the Northern Region, according to Dudley (2022),

For a large portion of the region, the colonial framework was largely unchanged; the only change was the transformation of what was once known as "sole native authorities," in which the Emir served as the only administrator, into a system known as "Emir-in-Council," in which the Emir was to receive advice from his "council," but he was not required to heed it. (page 110)

However, he points out that local officials turned into "voting machines" for the ruling parties even in areas that adopted representative local government management holistically, such as the west and the east (Dudley 1982:110). Due to this experience, the majority of elected councils were suspended, and a "caretaker committee" made up of government appointees was established in their stead. This served as the foundation for the current situation in Nigeria, where the majority of state governments favor caretaker committees over elected councils for local government administration, as will become clearer later in this work. Alongside other tiers of government, native authorities operated as a single unit during military rule. This persisted until 1976, when General Olusegun Obasanjo's (ret'd) military government started a nationwide Local Government Reform initiative. As stated earlier in this work, it was the reform that gave a legal impetus to LGA as the third tier of government in Nigeria. But more importantly, the reform provides a uniform elective local government council. In line with this development, council polls were held across the country in December 1976. This was the first time a uniform council poll was held in Nigeria.

Because Nigeria was ruled by the military at the time, the 1976 council elections were contested without the participation of any political parties. The Federal Electoral Commission (FEDECO), which was the nation's EMB at the time, was given the authority to conduct elections for both federal and state political offices under the Federal Republic of Nigeria's 1979 Constitution. FEDECO is listed as one of the Federal Executive Bodies in Section 5 Part C of the Constitution. However, the Constitution gave a separate EMB the authority to hold local government council elections for the first time in the nation's electoral history. The "State Electoral Commission" (SEC) was this. Section 6 Part II (C) of the Constitution provides for the establishment of SEC. Section 7 Part II (C) of the Constitution defines the powers of the Commission as:

To organise, undertake and supervise all elections to local government councils within the state

To tender such advice as it may consider necessary to the FEDECO on the compilation of the register of voters in so far as that register is applicable to local government elections in the state (Federal Republic of Nigeria 2019:108).

Throughout the Second Republic, the above provision was not respected by local governments. Instead, they opted for caretaker committees. This was because it was the only platform by which they could ensure maximum control of local government councils because if elections were conducted, it was possible for opposition parties to control some of the councils.

The aborted Third Republic in Nigeria witnessed a drastic transformation of local government administration in the country. In fact, the tier of government witnessed stability occasioned by

the provisions of the 1989 Constitution of the Federal Republic of Nigeria and promulgation of a number of decrees on local government administration.

The State Local Government Service Commission is included as one of the State Executive Bodies in Section 195 of the Federal Republic of Nigeria 1989 Constitution (Federal Republic of Nigeria 1982:75). Additionally, Section 283 stipulates that every LGA in the federation would have a local government council (Federal Republic of Nigeria 2009:102). The Constitution distinguished between legislative and executive duties in the presidential system of government. Sections 290 and 291 designate a council's chairman and vice-chairman, respectively. Furthermore, the appointment of "Supervisory Councillors" is provided for in Section 302. Both speak for the council's executive branch. The Constitution's Section 298 also provides for the election of council members, who make up a council's legislative branch (Federal Republic of Nigeria 1989:106).

It is important to remember that the 1989 Constitution lacked a clear definition of the authority of the National Electoral Commission (NEC), the nation's EMB at the time. According to Section 158 of the Constitution, Federal Executive Bodies established under Section 151 may, with the president's consent, regulate their own procedures by rules or in other ways, or grant authority and responsibilities to any officer or authority in order to carry out their duties (Federal Republic of Nigeria 1989:64).

The "State Electoral Commission," which was established by the Federal Republic of Nigeria's 1979 Constitution, was also absent from the Constitution. This implied that the NEC was also in charge of holding elections for the nation's local government bodies. In order to do this, NEC held the first party-based local government election nationwide in December 1990. However, it should be mentioned that it has previously held a non-party local government election in 1989.

The NEC was commended by some analysts for the way the December 1990 council polls were conducted. For instance, Ibrahim (2023:58) commenting on the election posits that:

The conduct of the election was very peaceful and the incidence of rigging very minimal compared to the past. (p 58)

The above position confirms the fact that when a central EMB conducts a local government poll, its outcome will be more credible than a situation in which an SEC (which is under the control of a state apparatus) conducts same election. This advantage was, however, eroded by the provision of the 1999 Constitution of the Federal Republic of Nigeria which reverted the arrangement to the pre-1989 status.

As previously mentioned in this book, the Federal Republic of Nigeria's 1999 Constitution, which serves as the Fourth Republic's enabling legal document, allows for a decentralized version of EMB. Section 3, part II of the Third Schedule of the Constitution gives SIEC the authority to conduct polls for local governments, whereas INEC, which was established by Section 153 of the Constitution, plans and administers elections for federal and state elective positions. SIEC is a State Executive Body, whereas INEC is a "Federal Executive Body." According to the study's results, SIECs have developed into a ready weapon for committing electoral frauds during local government elections,

although INEC has been granted a certain amount of autonomy in carrying out its mandated duties.

This is made possible by the fact that the chairman and members of "State Independent Electoral Commissions" are either allies of the governor or card-carrying members of the state's leading political party. This explains why opposition parties typically criticize the process whenever a state government forms a new SIEC. It also demonstrates why the general public, and opposition parties in particular, typically do not respect the results of elections held by SIECs. The reason for all of these is that the independence of SIEC was not explicitly defined in the 1999 Constitution.

Once more, the 1999 Constitution makes no mention of holding local government elections every three years, in contrast to the 1989 Constitution. Local government councils are therefore subject to the whims and desires of state governors. Therefore, dissolving the inherited councils is one of the main responsibilities of the incoming government when a political party loses a gubernatorial election. The fact that certain state governors consistently authorize their SIECs to conduct local government elections right before they leave is one of the justifications frequently offered to support this decision. The experience of local government councils in Rivers State in 2015 serves as an example. Just six days before it left office, on May 23, 2015, the state's immediate former governor, Rotimi Amaechi, ordered the Rivers State Independent Electoral Commission (RSIEC) to hold a local government election poll. This came after Mr. Nyesom Wike, the candidate of the state's opposition Peoples Democratic Party (PDP), defeated Mr. Peterside, the candidate of the All Progressives Congress (APC), the state's then-ruling party, in the March 2015 gubernatorial election. Members of the PDP boycotted the election. When a Port-Harcourt High Court dissolved the councils that were all won by APC candidates on July 9, 2015, the party that had previously filed a lawsuit against the decision of the Governor Rotimi Amaechi administration received justice on the grounds that the election was conducted against the court's order (Nigerian Tribune, 10 July 2015:4). Given that the incoming administration of the PDP has the constitutional right to form SIEC, the scenario raises the question of what could have motivated Amaechi's administration to hold a local government survey after its political party (APC) lost the gubernatorial race. This question has two possible responses. First, Rotimi Amaechi's departing administration sought to install its stand-ins in positions of authority so that the APC would lead local government matters while the PDP would oversee state affairs. Two, despite the fact that a local government council in Rivers State has a three-year term, the new administration might claim protection from the court's ruling on July 9, 2015, which declared that the local government election held on May 23, 2015, in Rivers State was held against the court's order.

Many state governments do the same crimes as the administration of Rotimi Amaechi at the time did, but as was the case in Rivers State, their antics are untenable anytime there is a change of government. As an example, Ondo State held a local government election on April 23, 2016, nine months before the end of the governor Dr. Olusegun Mimiko's second term in office. It was the first election in seven years. This implied that Ondo State has not conducted a local government election since 2008, when Governor Olusegun Mimiko's administration took office. The

governor used caretaker committees made up of associates or members of his party in place of elected councils. This approach gave his (the governor's) party, which was once the Labour Party-LP and then the PDP, to which he defected in 2014, a firm hold on the state. Fourteen other opposition parties ran in the election, while the state's main opposition party, the APC, boycotted it. "As anticipated," the PDP, the state's ruling party, won every chairmanship and councillorship. The results of the April 2016 local government elections are in conflict with the outcome of the governorship election that was later held in Ondo State on November 26, 2016. PDP which is the ruling party in the state and which won all the 18 local government chairmanship seats was defeated by the opposition party, APC. The candidate of the opposition party in the state, Mr Rotimi Akeredolu, polled a total of 244 842 votes to defeat Mr Eytayo Jegede who garnered 150 380 votes (The Punch, 28 November 2016:1). The issue arises is if PDP was as that popular in the state as the result of April 2016 poll reflected, it should have won the gubernatorial election of November 2016 as well.

Even though the results of local government elections typically favor both state governments, Kwara State and Ogun State are among the few states in the federation that have been conducting them on a regular basis. In October 2013, the Kwara State government conducted its most recent local government election. The state government established caretaker committees in November 2016 after the councils' terms ended in October 2016. According to the results of the 2010 election, the ruling party was elected to the chairmanships in each of the state's sixteen LGAs. Additionally, it was elected to every councillorship in the state's 193 wards. According to our understanding, the election's outcome was merely a political ploy that failed to capture the essence of an electoral struggle. In actuality, the opposition party Action Congress of Nigeria (ACN) won Offa Local Government, one of the state's LGAs, in the 2010 local election. However, the PDP, which was then in power, "manipulated" the legal system to regain the territory. Ogun State's ruling party, the APC, gained all 20 chairmanship seats in the state's 20 local government councils in the most recent local government election, which took place in October 2016. It also captured 228 of the 234 councillorship seats in the state living opposition parties with 5. In fact, according to the result released by the Ogun State Independent Electoral Commission (OSIEC), the main opposition party in the state, PDP, only garnered two councillorship seats, while the less popular party in the state, Peoples Party of Nigeria (PPN), won three seats.

Given the aforementioned, it is reasonable to assume that the results of Nigeria's local government elections do not accurately represent the preferences of the people. Typically, only the distribution of scores among candidates occurs. This explains why state-level opposition party members consistently view local government elections as a pointless political exercise, a routine, and an exercise in which they should not invest their resources.

Approximately 75% of Nigerian states do not have elected councils as of the time of this study. The fact that several states have not held local government elections in the previous seven or eight years is even more concerning. In order to achieve their political and economic goals at the local level, they have instead turned to caretaker committees, which are undemocratic organizations. One example is the Oyo State Government, which hasn't held municipal elections in the last nine years. It has been

using the tactic of requesting that the State's House of Assembly, which is the legislative branch of the state, extend the term of caretaker committees when their current one expires. It was only in November 2016 that the governor of the state, Mr Isiaka Ajimobi, made a policy statement that local government election will be held in the state in February 2017. People are not so enthusiastic about this promise because similar statements had been made by him in the past without being redeemed. An example of such sceptics is Comrade Jaiye Gbobagoke, a social critic and a trade union leader in Oyo State, who posited that:

No one should be carried away by the Governor's (Ajimobi's) promise. He has made similar promises in the past unredeemed, moreso, his predecessor in office, Chief Alao Akala, was guilty of the same offence. (The Courier, 25 November 2016:4)

Anambra State is another excellent illustration of a Nigerian state that has not held local government elections in a while. The accusation was made against Governor Peter Obi's most recent administration. On the platform of the Anambra State ruling party at the time, Governor Willie Obiano was elected. "All Progressive Grand Alliance" (APGA) was this. However, Mr. Peter Obi, the state's governor at the time, quickly lost favor with the party's leadership after winning the office in 2003 on the APGA platform. Chief Odumegwu Ojukwu, the indisputable Igbo (ethnic group) leader of his era and the former warlord commander of the failed Biafran Republic, was the founding father of the APGA. Consequently, the then Governor Obi who fell out with some Igbo leaders must have considered it a political suicide conducting a local government election in a state where he could not out match the popularity of Chief Odumegwu Ojukwu. However, riding on the popularity of APGA in the state, the administration of Governor Willie Obiano has since conducted local government elections.

Since taking office in 2011, Governor Rochas Okorocha's administration in Imo State has failed to organize local government elections, which is perhaps due to political reasons. In 2011, Governor Okorocha was elected on the platform of the APGA after defeating the PDP candidate. But in 2013, Governor Okorocha led a group of APGA members to the APC, defecting to the party. This scenario demonstrates that the PDP, APGA, and APC are the three "popular" parties that are now active in Imo State. Therefore, any plan that results in the holding of a local government poll could end up being political suicide for Governor Rochas Okorocha's administration. Therefore, based on the results of the 2015 national elections, the APC cannot completely ignore the PDP and APGA's popularity in Imo State. Perhaps as a result of Governor Rochas Okorocha's popularity, the APC won the gubernatorial election; nevertheless, the results of the elections held for the National Assembly, Nigeria's federal legislature, showed differently. For example, during the election, the PDP secured all three of the state's senatorial seats. This demonstrated that the PDP is still a powerful political force in the state. However, if everything else is equal, the PDP will control certain local government councils in every state local government election. This will definitely precipitate political bickering between the local government councils concerned and the state government.

Security concerns are at the heart of the state administrations' (Borno, Yobe, Bauchi Gombe, Yola, Adamawa, and Taraba) failure in the country's northeastern geographic zone.

The northeastern geopolitical zone has not had peace since Muhammad Yusuf created the Boko Haram group, an avowed Islamic sect, in 2002. When President Muhammad took office, they were only just beginning to receive respite. "The group turned insurgents" after Muhammad Yusuf, the group's founder, was killed in a police cell in 2009. In actuality, it ruled over roughly 14 of the 23 LGAs in Borno State, which served as Boko Haram's operational base, between 2012 and 2015. The states of Adamawa and Yobe also did not do any better. Insurgents from Boko Haram were always attacking, and they mostly targeted public institutions, particularly primary schools, and local government secretariats. Taraba, Bauchi, and Gombe, the other three states in the nation's geographical zone, all reported a respectable number of insurgency attacks. The aforementioned explains why state governors in the nation's northeast geopolitical zone have not held local government elections since 2009.

Furthermore, several state governments in Nigeria have failed to hold local government elections, which can be explained economically. There are two sides to this. One side is the one that, due to their dire financial situation, is unable to hold local government elections. The second is the group of state governments that, in theory, will not hold local government elections as they will still receive funding from the Federation account for local government councils.

Since appropriations for local government councils typically come from the federal government, the first group's claim that their inability to conduct local government polls is due to their poor financial situation raises the question of how financially committed these states are to the exercise. One could argue that LGAs are not independent of state governments since, at the at least, Section 3, Part II of the Third Schedule of the 1999 Constitution, which gives a State Government the authority to create SIEC, formally ties LGAs to state governments. This is why Mr. Rauf Aregbesola, the governor of Osun State, one of Nigeria's 36 states, recently proposed that Nigeria has two tiers of government: federal and state. He made this declaration in reaction to the Speaker of the House of Representatives, Hon. Yakub Dogara, accusing state governors of mismanaging local government funds from the Federation account. He claims that this is an offense that can lead to impeachment. According to a remark from Osun State Governor Mr. Rauf Aregbesola:

Local Government Councils are absolutely under the control of the States, and that the only organ of the state empowered by the Constitution to make laws for them is the state parliament. (Alao 2016:6)

Governor Rauf Aregbesola described the view that local government councils should be independent as totally strange and anti-federalism and that there are two tiers of government in a federal system.

The majority of state governments are guilty of this charge, as they are among the group that technically forbids holding local government elections due to the financial advantages they receive from local government councils. They typically use the tactic of withholding a substantial portion of local government appropriations from federal accounts under the guise of "joint accounts" and releasing "peanuts" to the councils as soon as they arrive. Nonetheless, because members of the caretaker committee are appointed by the governor, the latter will still choose which

capital projects to undertake in their regions. State governments conduct the bidding process when contracts are to be awarded. The foregoing explains why the Speaker of House of Representatives (Nigeria's Lower Legislative Chamber) hinges the problem of local government councils on lack of independence. He considers this as the bane of local government in Nigeria (Alao 2016). On the problem of financial autonomy confronting local government councils in Nigeria, Honorable Dogara posited that:

Since the Local Government Councils are under the state executive's authority, there is a lack of independence and it seems like nothing is moving. Since it grants local government ministries in the state jurisdiction, joint accounts are actually one of the worst things in the world. The state's local government ministry is considered the minister of petroleum resources in the majority of states, particularly in the North where there is no oil and so on. As a result, we are all aware that when funds are given to the councils, they are immediately taken over and used at the discretion of the ruling class. Alao (2016), p. 24

The aforementioned role of Nigeria's fourth citizen and Speaker of the House of Representatives says a lot about the current struggles of local government councils in the country. Some local government authorities actually owe their employees salary arrears at the moment. One example is Kwara State, where employees (including pensioners) who are paid by local government councils are owed between five and six months' salary, depending on their grade levels. The Kwara State Government's prejudice against local government employees is much more concerning. The state administration consistently asserts that local government employees are not its (Kwara State administration) employees, despite the fact that state employees receive their salaries on time. But as posited earlier, the state government cannot be insulated from the failure of local government councils to pay the salaries of their workers:

The aforementioned explains why local government councils in about 75% of states and the Federal Capital Territory (FCT) are not elected. The unconstitutional caretaker committees, which are powerless to stop the harsh measures taken by state governments against them, have provided them with some reprieve. Therefore, Nigeria will eventually reach the point where it lacks an elected local government council unless the ruling authorities act quickly to modify the constitution.

### Conceptual Framework and Discussion

According to certain legislative papers on SSRN, elected local government officials in Nigeria typically serve three-year terms, however other states, like Lagos, have four-year terms. According to Cross River State News, this discrepancy is frequently caused by differences in state-level laws controlling the management of municipal governments. According to Cross River State News, some states, like Cross River, have kept their local government councils in office for three years, despite the Supreme Court's confirmation that local government chairmen and councilors are entitled to a four-year term, which is consistent with other governmental levels.

Therefore, while the national trend and Supreme Court ruling may suggest four-year tenure, it's crucial to consult the specific local government law of each state to determine the exact tenure for its elected officials.



### Tenure of Local Government Elected Officials

In Nigeria, elected local government officials serve a defined term, typically three years, as determined by state laws and the State Independent Electoral Commission (SIEC). The majority parties in Nigeria often dominate local government elections and influence the tenure of these officials, sometimes leading to arbitrary dissolution of councils.

#### Tenure of Elected Local Government Officials:

- The Nigerian Constitution guarantees a system of local government by democratically elected councils.
- While the Constitution doesn't explicitly state a specific tenure, state laws and SIECs typically set a three-year term for local government chairmen and councilors.
- State governors can influence the timing and duration of local government elections, and sometimes even dissolve councils.
- SIECs, which are responsible for conducting local government elections, often align their timetables with the governor's preferences.

#### Politics of Majority Parties in Nigeria:

- Majority parties at the state level often control local government affairs.

#### This control can manifest in various ways, including:

- Influencing the selection of candidates for local government elections.
- Dictating the tenure of elected officials.
- Interfering with the operations of local governments.

#### The dominance of majority parties can lead to:

- Lack of autonomy for local governments.
- Reduced accountability and transparency.
- Potential for corruption and misuse of public funds.
- Some scholars argue that this political interference undermines the effectiveness of local government and hinders service delivery.

The Constitution which provides a four year term for state and federal government elected officials is silent on the tenure of local government elected officials. This lacuna in the Constitution makes state governments to fix any term they want including reducing the term of office of the elected council before their expiration.

The National Assembly sought to abolish the local government tenure palaver, but the Supreme Court stepped in when state governments sued the federal government in *Attorney General of Abia State & Ors v. Attorney General of the Federation*, claiming that the federal government had usurped their authority.<sup>65</sup> In this instance, the Electoral Act 2001 was passed by the National Assembly with the intention of dividing the local government into electoral wards and enacting legislation regarding the terms of office of councilors and chairmen. In a thoughtful decision, the Supreme Court declared the Act to be invalid, stating that the National Assembly lacked the authority to do so outside of the Federal Capital Territory of Abuja. Hence, the jurisdiction to legislate on the tenure of local government is constitutionally reserved for the states by virtue of Section 7(1) of the Constitution.

Specifically, however, the Court had this to say on the tenure of the local government elected officials:

The term of elective offices in local government councils is, in fact, unaffected by section 7(1) of the Constitution, which gives the state government the authority to form, structure, composition, finance, and functions of local government councils in the state. Since the issue is not on the Exclusive Legislative List, the silence renders it residual. According to Section 4(7)(a), states, not the federal government, are responsible for enacting laws on residual concerns. Therefore, the House of Assembly of a State, not the National Assembly, should enact laws governing the terms of elective offices in a Local Government Council.

In the FCT Abuja, the Act provides three (3) years as tenure of area councils elected officials including provision for recall of members. The Constitution should be amended to make equivalent provisions for the councils in the federation.

Local government is both a political and administrative structure closest to the people. It is vested with certain powers to exercise control over the affairs of people in its domain. In the words of United Nations Office for Public Administration quoted by Ogunna (1987), local government is defined as:

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 labor for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected (p. 369);

However, the conceptualization by guideline for implementation of 1976 local government reforms in Nigeria expanded the meaning of local government to include the purpose, functions and its operation. As cited in Ola (1984), it conceived local government as:

Government at a 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 provision of services and to determine and implement project of state and federal governments in their areas and ensure through devolution of functions to these councils and through the active participation of the people and their traditional institutions, that local initiative and response to needs and conditions are maximized (p. 7).

Local government is the most important level of administration at which the force to sustain national development can be developed, according to Aziegebe (1989), in a country as diverse and federated as Nigeria. According to him, it would be administratively burdensome for representatives of the central government or a deconcentration process to handle all governmental functions in Nigeria's widely diverse locations, from the big industrial metropolis to the little rural communities. As a result, the 1999 constitution, like earlier ones, gave locals authority over local affairs so they can determine local requirements and use their own judgment and initiative.

According to Gboyega (1988), local government must be established in every community for the following reasons: to allow services of local importance to be administered only locally; to educate citizens and train political leaders; to provide the central government with information about localities that is necessary for effectively meeting their needs; and to reduce the concentration of political power by distributing it. These principles sustain local development and advance democracy.



These needs have been itemized by Bajela (1986) to include:

- Bring government to the grassroots level, thus encouraging a sense of belonging among the local populace;
- Facilitate effective and efficient government administration;
- Foster even and rapid socio-economic development of the communities they serve;
- Promote effective and efficient communication link between the central government and the people at the grassroots level;
- Encourage greater public participation in governmental activities;
- Provide utility services and amenities to the local people; and
- Help the central government in the maintenance of law and order.

According to Hunt (1961), a role is the conduit for social or professional activities that are made available to people by the organizations they work for or are affiliated with. In other words, a role is the responsibility or function that a person fulfills within an organization or at a position. It is the role or persona that an actor portrays in a play or at a formal or traditional event. A subject's function in a unit is summarized in both versions, albeit the lexical method is somewhat literary. Regarding the link, connection, or interaction between individuals. In the case of the elected officers of the local government council, the meanings of the renditions mentioned above usually apply. This might be blood, emotions, officials, etc. It should also be noted from the above that this work uses functions, duties, and responsibilities as synonyms.

The elected officers in the local government are the chairmen and elected councilors who are aided by supervisory councilors. On the hand, the key functionaries are very experienced or specialized workers. Some are field or area experts. They include the Treasurers, Accountants, Education Officers, Medical Officers, etc.

### Local Government Reforms in Nigeria

The federal government has implemented numerous changes to enable local government to operate efficiently and bring development closer to the people at the grassroots level. The 1976 reform is one of these and most likely the most important. The 1976 Local administration Reforms, which were intended to bring the presidential system of administration down to the ground level, are thought to have been the magic bullet that gave local government new life. At the municipal government level, the changes established a one-tier, multipurpose system of governance (Special Duties Dept., 1996). The 1979 Constitution established the framework, which has seen only minor revisions and changes throughout time. The 1976 reforms were envisaged as a way of stabilizing and rationalizing government at the grassroots in Nigeria.

In order to identify, cost, and coordinate the entire local government system in any given area, the reforms propose that all statutory and public service functions of local government in Nigeria be consolidated into a single-tier, multipurpose institution known as local government, with comprehensive and self-

contained budgets. Although it might change in rare cases that were not specified, the reforms set the population for a distinct local government at between 80,000 and 150,000. There are now 301 local government areas in the nation as a result of the demographic range. Along with some concurrent or optional responsibilities, the reforms also established the local government's exclusive or required functions.

The municipal governments were harmonized as part of the reforms, which had some structural homogeneity. With the Finance and General Purpose Committee acting as the council's cabinet, it set a cap on the number of committees. As the third level of the presidential system of government, local governments are entitled to sufficient and dependable internal financing sources as well as federation account allocations, according to the reforms. The reforms also established a Local Government Service Board, gave councilors a set term of office, and made a distinction between the government and the traditional rulers, prohibiting the former from actively participating in local government affairs or politics. They set aside 15 per cent of the federal revenue and 10 per cent of the total collected state's revenue for the local governments.

University certificate, diploma, and post-graduate diploma programs in public and local government administration were introduced as a result of the reforms, which took into account the poor quality of the government's workforce. The goal was to raise staff members' educational standards in order to lessen their dissatisfaction and low morale. The following universities were chosen for the program: University of Nigeria, Nsukka (East), University of Ife (Obafemi Awolowo University), Ile Ife (West), and Ahmadu Bello University, Zaria (North) (Special Duty Dept, 1996).

In summary the objectives of the 1976 Local Government Reforms as cited in Adeyemo (1995) were

- To make appropriate services and development activities responsive to local wishes and initiatives of involving of delegating them to local representative bodies
- To facilitate the exercise of democratic self-government close to the local levels of our societies and to encourage initiative and leadership potentials.
- To mobilize human and material resources through the involvement of members of the public in their local development.
- To provide a two-way channel of communication between local communities and government (both state and federal).

Therefore, it is accurate to state that the Local Government Reforms of 1976 serve as the foundation for all subsequent systemic advances and reforms. The improvements gave workers better working circumstances that were comparable to those found in federal and state public agencies. They also prevented the state governments from usurping the authority and responsibilities of the municipal governments.

Additional local government reforms occurred in 1984 and 1988 as a result of the military's return to politics. In 1988, the federal military government implemented civil service reforms that also had an impact on local governments (Olu, 2004). The

establishment of personnel, finance, and supply departments as well as offices for councilors, secretaries, treasurers, and auditors general were mandated in order to guarantee professionalism in the local government service. The Local Government Service Commission, which establishes standards for hiring and overseeing local governments, had its duties explicitly delineated by the 1988 reform. The goal of all these clauses was to establish accountable local governance throughout the Nigerian federation (Abdulhamid & Chima, 2015).

In 1989 and 1991, the number of local governments increased from 301 to 453 and 500, respectively. The federal government acknowledged the newly established local governments, which promoted greater democratic involvement of the local populace in state affairs. The implementation of the presidential form of governance promoted democracy and the division of powers within the local government. The executive council had a clear democratic mandate to manage the council's operations and was kept apart from the legislative council. Local government elections were held at this time, and the chairmen who were chosen were held accountable to the local populace and served as the council's accounting officials. As an attempt to increase local participation in democracy, the Abacha's regime created more local governments in 1996, bringing the number of local government to 774. The regime replaced the presidential system with parliamentary system. The parliamentary system was aimed at reducing cost of administration for the local government, but was not encouraging to the nascent democracy in the local government in terms of applying the policy of separation of power (Wilson, 2013).

During the military regime of General Abdulsalami Abubakar from 1998 to 1999, the local government underwent yet another restructuring. As previously stated, the military administration successfully held elections in December 1998 for all local government councils, reversing the local government's parliamentary system to a presidential one. According to section 7 of the 1999 Nigerian Constitution, the government also acknowledged and incorporated local government for the second time. Since the section allowed locals to choose their leaders during council elections, local political participation has expanded. Most significantly, the 1999 constitution gave the local government the authority to operate as a third level of government in Nigeria, with particular constitutional timetables for democratic growth. Ironically too, the 1999 gave a lot of powers to the state governments to control the local governments within their domain.

According to the 1999 constitution, the chairman serves as the top executive, overseeing a group of councilors that make up the legislative arm and an executive team of supervisors. There were checks and balances as a result. The 1976 input was largely reinforced by the 2002 reforms implemented by the Obasanjo Administration.

### **The Duties of Local Government Elected Officers**

With a foreword signed by Major-General Yar'adua, the first paper that formally outlined the local government's tasks, responsibilities, and duties was released under the title "Guidelines for the unified Local Government in 1976." The same data was reproduced under the heading "Functions of Local Government Council" in Schedule Four, Section Seven of the Federal Republic of Nigeria's 1979 and 1999 constitutions, respectively (Constitution

of the Federal Republic of Nigeria, 1999). Overall, not much has changed since then, despite reforms and changes in emphasis or stress.

A council is a gathering of people who want to talk about their shared issues and come up with solutions that they can all agree upon, not only a business organization with legal status (Benemy, 1968). The people to whom sovereignty belongs and to whom the councilors ran for office are the ones to whom they owe their duties. All of the councilors, including the chairmen, are significant members of the community. They are revered and respected by the populace. They are supposed to be knowledgeable and seasoned. Additionally, the public expects their chairman and every councilor to love them and the local government as a whole. This entails ensuring that the council's designated duties are faithfully carried out. The councilors must be willing to give up a good deal of their time to read up papers of the council and attend its meetings. Most of all, they must know that they are, as now, elected officers. To say this is to say that they are representatives and doing to the masses what the people should do for them in a direct democracy.

The State and the Nation are likewise covered in what has been written here regarding the local government region. As outlined in the Constitution and other pertinent council documents, councilors are expected to continuously demonstrate an unwavering dedication to carrying out their obligations to the state and the country. By doing thus, the local government administration demonstrates its fundamental nature as a functional organ or layer inside the Nigerian Federal Republicanism systemic process.

As the council's most important elected official, the chairman is supposed to meet frequently with the vice chairman and all council members to decide on the overall course of the local government's policies (Awotokun, 2005). In addition, he oversees the coordination of the local government's operations and the general execution of its executive duties. In addition, the Local Government Chairman chairs all Council sessions and ensures that the budget, which includes the Local Government Area's revenue and expenses, is developed and presented to the Council. The chairman is joined by other elected officials. It is the responsibility of these other elected officials to speak for the needs and opinions of their community. They must be impartial and take into account the needs and welfare of every member of the local government as a whole, thus this is not limited to their own wards. It is their responsibility to spend a lot of time with their people by hosting drop-in surgeries and communicating and interacting with them on a variety of topics. It is the responsibility of elected officials to closely examine how well the Council is performing in relation to the established priorities and goals. It's critical to constantly compare goals with results. They have a duty to deliver the priorities set by the government and to decide how best those priorities can be delivered in a local context.

Attending as many committee meetings as they can is their responsibility. It should be mentioned that this is required because committees are used to carry out part of the duties performed by elected executives. The committees must, if feasible, make their reports available to the public beforehand and for the press to attend meetings, with some exceptions for private subjects (Bankole, 2006). Furthermore, the majority of elected officials' pay comes from the federal government, which means they have to

balance these duties by working under very strict parameters when creating budgets. As a result, decisions are made during the regular committee meetings, which can take a long period. In conclusion, the following are the roles and responsibilities of Nigeria's elected local government officers:

- Provide political / strategic leadership setting out policy framework within which the council operates
- Make decisions on major local and national priority issues
- Provide community leadership by representing the views of the community and community engagement
- Ensure statutory duties of the council are carried out
- Adhere to the national Code of Conduct for Councilors
- Be open and transparent
- Constantly attending Council meetings and other committee meetings that they are members.
- Actively participating and partaking in the debates and deliberations sequel to the passage of Local Government Bye-Laws.
- Actively participating and partaking in the debates and deliberations sequel to the approval and passage of Local Government annual budget estimates.
- Monitoring and supervising the execution of capital and other projects in the Local Government Area, especially those in their respective Wards.
- Mobilizing their respective communities to participate in community development projects.
- To serve as members of any committee established by the Council or the Chairman.
- Serving as agents in their respective Wards in the maintenance of peace and security.

According to Okobiah (2006), the demands on the local government system have grown significantly in the modern era. This is because the provision of basic services like markets, roads, transportation, schools and other educational services, sewage and sanitation, hospitals, and medical services has increased. As a result, there is a need for more full-time and paid officers, who are chosen and appointed primarily based on their technical and professional expertise rather than social lineage or patronage. The important functionaries of the Local Government are the technical and administrative staff who handle the day-to-day management and general administrative tasks of the Local Government. These technocrats employed for the purposes of carrying out day to day services and activities of the local government administration have become the main permanent and paid officers of local government.

While elected members remain in office for as long as they are mandated to serve them in local government councils, paid officers and important functionaries are chosen and hired based on merit. The chosen members are essentially amateurs who might not have the administrative and technical expertise of the assigned functionary he leads.

#### **Relationship of Elected Officers with Key Functionaries: The Implication on Development**

Nigerian local government concerns, such as the topic of armed conflicts spanning from ethnic, communal, and religious to location issues, are frequently depicted in literature. Other issues have hindered grassroots governance, including inadequate funding and revenue, limited autonomy (Eminue 2006), poor political leadership (Bolatito & Ibrahim, 2014), and a lack of basic social amenities like electricity, transportation, and telecommunications (Abdullahi, 2017). These include, but are not limited to, untrained and underqualified staff, corruption and financial misappropriation, a lack of accountability and transparency, a lack of local plans, and a lack of programming capability (Bolatito & Ibrahim 2014). The significance and function of positive interpersonal relationships among local government officials in achieving significant development goals have been largely overlooked in literature. Both elected officials and important staff members must foster positive interpersonal relationships if local government is to achieve its objectives (Jatto, 2008). But what Benemy (1968) says about rulers or politicians in general also applies to Nigerian local administrations. Benemy (1968) boldly asserts that human history demonstrates that once a man has experienced power, he is not only unwilling to cede it but also eager to expand it. He starts to believe that he is the only one with the answers. He conflates the public interest with his own interests. Because of this, elected officials from local governments speak and assume that everyone will pay attention. They are rarely receptive to the requests or screams of the populace and would not listen to others. According to Udoji's report, which was cited in Idang (1988), this disposition means that the relationship between the elected officials and the important local government employees is typically "one of acrimony and antagonism; in a conflict rather than partnership in and enterprise, with the resultant lack of the team work necessary in modern organization" (p. 14). This poses a threat to progress.

Representing their villages, tribes, and clans, the elected officials are chosen by the general public to hold office. According to Okobiah (2006), they have different circle of allegiance orientations since they are equally prone to parochial consideration. However, the salaried officers continue to hold their positions indefinitely, which necessitates that they continue to perform their tasks in part. They must be directed by professional competence even though they have an obligation to be loyal to the elected members. Generally speaking, nevertheless, a tense relationship formed between the elected executives and important functionaries, especially when their advise seemed to go against the elected members' political prudence. As elected officials try to remove the paid officers from office by any means possible, this has resulted in numerous controversies. There have been and continue to be many instances of local government entities acting like hostile camps. Due to personality conflicts between elected officials and senior functionaries on the one hand, and between chairmen and their deputies on the other, the chairman's almighty complex threatens to turn the tier's operations into a one-man show. Some chairmen have excluded their deputies and other elected officials who are not in their camps and denied them access to official vehicles and portfolios, among other perks that should be provided to their offices. Even when these chairmen travel out of their areas for other national official assignments, their deputies are not allowed to stand in for them.

The operative agencies or institutions, including the chairmanship, supervisory councillorship, the council legislature, and key functionaries, were engulfed in a sea of hostility as a

result. In this atmosphere, not much could be accomplished. In order to settle internal conflicts between the chairmen and the councilors and between elected and appointed personnel, a significant portion of public funds that should have been utilized to enhance the quality of life for the general public were diverted (Umoh, 1996).

However, from a purely pragmatic perspective, the sporadic disputes between the important employees and their chosen superiors might not necessarily be harmful to the effectiveness and integrity of the administrative process. It may even offer an informal system of checks and balances in some situations. According to Adebayo, quoted in Idang (1988), there will always be some tension between the need for civil workers to enforce fair laws and procedures and politicians' desire to further their political careers. However, such friction becomes harmful to growth when it becomes severe enough to strain the relationship between the elected officers and the appointed bureaucrats.

The growing number of cases of threats and actual impeachment of local government chairmen stemming from ongoing disputes between the legislative and executive branches of the local government, on the one hand, and between elected officials and important local government officials, on the other, is a dangerous trend to democratic survival at the grassroots level and detrimental to development, even though it is not blind to the necessity of a minor disagreement in such a setting as previously mentioned. For example, within three years of the return to civil rule, at least three local government chairmen were impeached in Akwa Ibom State alone (Olu, 2004). Similar cases were witnessed in a number of states of the federation during this period. Some instances of this are cited here.

For instance, it was reported that a council boss in Anambra State had locked up the local government treasurer in her office and ordered some of her suspected political thugs to beat the treasurer for refusing to sign some alleged false documents intended to retire a specific amount of unspent funds. The chairperson allegedly insisted that the treasurer stay in her office until he signed the check, even as the beating was taking place. The council treasury manager disregarded the directive, which resulted in more slaps on his face from the chairman and her goons (Okpara, 2014).

Conflict was reported to have arisen in Delta State between other elected officials and the chairman, secretary, treasurer, and acting head of local government service (Sahara Reporters, 2013). Every time the council received its monthly allotment from the federal government, the chairman and his staff consistently outperformed other elected authorities, which led to the disagreement. On this specific occasion, the chairman and his supporters were hiding in a hotel room at the council's headquarters, splitting the monthly allotment without the involvement of other elected local government officials. To get the situation under control and removed from the police station, the Speaker of the State House of Assembly and other well-known local residents had to step in. Some councilors claimed that the chairman was not advancing their interests, particularly in financial matters, and there had been a cold war between them even at that time. The "built-in" salary, which was defined as the fraudulent smuggling of false identities into the council's pay register, was another alleged fraudulent activity committed by the chairman. In reality, the chairman and his associates would take millions of

Naira out of the allotment as soon as it arrived, then divide it with the illicit pay. That manipulation had been done for several months before the interruption.

In a similar vein, a local government area chairman had physically assaulted the local government administration head for voicing concerns about the misappropriation of council finances. After writing a memo to the chairman of the council alerting him to widespread corruption and financial misappropriation within the council, the head of administration was physically assaulted. With the chairman inviting the local government area's chief of administration to his office and then physically assaulting him with his shoes and other tools, wounding him. Part of the letter that the head of administration wrote to the chairman of the Local Government Service Commission, pleading with him to stop the attack and expose corrupt activities in the local government, read as follows:

In the course of the discharge of my duties, I discovered that illegal collections were going on, particularly around the waterways by some people who were agents of the Transition Committee Chairman and I did my best to expose some illegal collections. I attach proofs of those illegal collections and I mark same Annexure B. (Okafor, 2018).

When council members voted against the council chairman, a crisis also broke out in one of Enugu State's local government councils. Financial misappropriation, the chairman's forcible takeover of people's land, and the conversion of local government land to private usage were the main causes of the conflict. In addition, the council chairman managed the local government as his own company and for three months refused to pay employees' salaries, which made him unpopular with other local government employees. According to reports, he owes his political appointments over 15 months. They also accused him of resorting to holding councilors' allowances as well as false representation of issues and reports as regards the local government. These are just a few cases (Njoku, 2015). These unpleasant experiences have thwarted socioeconomic development at local government level.

In a sense, councilors frequently work as administrators part-time. To be able to make informed judgments, they must rely on the full-time officials who are essential functionaries. Furthermore, a large number of these important employees are highly skilled or specialized personnel. Some are specialists in their fields. Among them are the treasurers, accountants, medical officers, education officers, and others. They serve as the chairman's and the other council members' advisors. For the council's policies to be implemented, the councilors must also rely on important employees. In actuality, they are the ones who carry out the council's policies. Theoretically, the Chairman and Councilors understand the public interest because they are representatives of the people. But they are at times at the mercy of administrators who sabotage their well thought out programmes of public welfare if the relationship between them is strained due to lack of mutual respect and cooperation. This is harmful to development at local government level.

Once more, the elected officials, especially the younger and less seasoned ones, are in dire need of the support and direction of the higher-ranking essential local government officials in order to fully understand the complexities of administration and governance. This is required because, as noted by Akpan (1989),

politicians, regardless of their level of education and experience, require the professional expertise of career civil servants to formulate, implement, and carry out policies. Unfortunately, most local government administrators are occasionally hesitant to put their professional knowledge and administrative experience at the disposal of their political bosses when there is conflict and an antagonistic relationship between elected officials and key functionaries. This is even worse if the elected officers of the local government come to their new offices with a feeling of superiority bordering on arrogance and contempt towards the administrators. The doctrine of unreserved loyalty provides a convenient shell into which administrators can retreat and re-emerge only when the political climate is more favourable.

Conflict and strife arise when local government chairmen try to exert control over important officials. Although it is widely acknowledged that elected officials have a duty to carry out the policies they have created, it is naive of the elected officials to believe that the top-ranking key officials in local government are merely passive beings who are easily influenced and intimidated by their scowls. The Nigerian government service is the most significant source of status, wealth, and respect in Nigerian society, despite the fact that some of its graduates are among the best. Therefore, given the social context of Nigeria, senior local government administrators would be less than human if they did not value ambitions and look for ways to get ingrained in the system rather than just surviving. Additionally, unreserved and open loyalty to a specific government can occasionally contribute to the widening of rifts within the service, a rise in factionalism, and the reinforcement of the notion that certain people are rewarded while others are punished due to partisan political considerations and favoritism. Nothing could be more harmful to the morale and productivity of local government than the presence of such a sentiment among important senior officials.

Whereas government, including local government as construed by the social contractors, Thomas Hobbes and John Locke, or the sociological physiocrat, Jean Jacques Rousseau, is an agent of the people just as the individuals who constitute it, the converse holds in Nigeria. Government, and that includes the local government, is the master and the principal.

Furthermore, according to Holsti (1972), when Jean Bodin proposed the idea of sovereignty—which the 1648 Peace of Westphalia accepted as the cornerstone of nationhood—the sovereign and those who embody it were supposed to be conscientious people, that is, people constrained and directed by their conscience (Graham & Carey, 1972). Therefore, governance was a moral endeavor, with its roots in the Platonic tradition of the previous two millennia. The ancestors of the current Nigerian population held the same belief. From an ethical perspective, the Obong, Eze, Oba, or Emir approached and performed his duties (Umoh, 1994).

In Nigeria today, this is not the case. To the cost of the public interest, the public-appointed or elected official turns his position into a personal treasure trove. These officials take advantage of every public chance to further their own wealth at the expense of the state's or local government's progress. For example, a contract of N3, 989, 708.12 was given a few years ago to install previously purchased electrification materials on previously planted poles in a certain local government region. From the aforementioned contract amount, N3, 221, 686.21 was paid

immediately. This job was worth almost N1.2 million, according to a consultant. The same contractor was given the same task for a contract value of N9, 350, 320.00, which included a down payment of N7, 118, 320.00. After a few months (Umoh, 1996). The chairman of the local government and his council were deeply involved in this. While the public is still depressed, the chairman now counts his real estate holdings across the state and the nation, drives fancy, flashy cars, and parades as a very important person (V.I.P.) at public events.

Sectionalism exacerbates the materialistic fixation that permeates local governance. Together, they create a social ecology that encourages harmful cultures. Key officials and elected officials give up their civic rights and mortgage their consciences for cash. Once a lawmaker is elected, they can get married again, purchase a fancy automobile, and build a suitable apartment in the capital city. They can then return to their local government only when it's time for them to be re-elected. Every cop returns home at the end of the month with something of which he is extremely proud, depriving his constituents of necessities of life. A good number of the elected officers are men who are strangers to the decorum, throughout their serving tenure, never for once, had they opposed a motion, not to talk of initiating one. This dwarfs development.

Non-payment of salary and other staff claims and allowances also leads to a strained relationship between elected officials and important functionaries. There are several examples of elected officials and the chairman paying themselves while others work for months without getting paid. In the hopes of receiving compensation, some important employees use their own funds to manage local government operations, often to the elected officials' advantage. When the local government chairman receives the allocation from the federation account at the end of the month, these expectations are occasionally crushed when the chairman does not pay the wage or other demands. Such a circumstance does not bode well for any significant advancement in the partnership.

Although revenue production has been a theoretical concern in local government management, it lies at the heart of every tense interaction between elected officials and important functionaries. The foundation of local government autonomy is internally generated revenue, which elected officials have forgotten (Odoh, A. nd). The only way to offset the high salary bills and other conflicting demands will be through domestically generated money, regardless of the amount derived as statutory allocation. Over the years, elected officials and important staff have disregarded this obligation and handled it lightly, either for political reasons or because they think the statutory allotment is fixed, or because their assessment and revenue-generating systems are extremely subpar and inefficient. The development is in jeopardy because of this.

Conflict among elected officials and important functionaries has been blamed for some of the criticism that local government leadership has been too brittle and possibly short-lived. Local levels of the Nigerian political system are where the worst instability occurs. It could be an elected council today, a sole administrator tomorrow, a management caretaker committee, etc. Usually, this occurs when elected officers and important functionaries quarrel. In one state, for instance, twelve council chairmen were suspended due to allegations of fraud. A total of

150 million naira (N150,000,000) was demanded as a return (George, 2010). In a related move, Kogi State suspended the chairmen of the local governments of Ibaji and Ogori Magongo for allegedly misusing resources and failing to perform. George (2010) Newly elected members frequently exhibit inexperience and even ignorance of legislative operations as a result of the frequent changes in the house's membership or the councils' leadership. The likelihood of a leadership struggle and a tense relationship between elected officials and important bureaucrats is increased by frequent changes in the legislative houses' leadership. Such a circumstance clogs the local government's development wheels.

### Local Government Elections and Majority Parties System

Both the federal and state legislatures have the authority to enact laws pertaining to municipal elections under the 1999 Constitution, so long as state legislation does not conflict with federal legislation. 38 Once more, only democratically elected local government councils—not interim committees or lone administrators—are guaranteed and recognized by the Constitution. The Constitution gives the State Independent Electoral Commission (SIEC) the authority to hold elections for local government councils in order to fulfill the aforementioned mandate. On the other hand, the Independent National Electoral Commission (INEC) is required to compile voter registration for these elections.

It is obvious that the constitutional clause governing the election process for the council is in conflict. If local government is a state duty as defined by section 7 of the Constitution, how can two legislative bodies be granted the authority to hold elections for local government? According to section 7(4) of the Constitution<sup>41</sup>, "The Government of a State shall ensure that every person who is entitled to vote or be voted for at an election to a House of Assembly shall have the right to vote or be voted for at an election to a local government council." This is done to eliminate any doubt and give the state government complete authority to guarantee the existence of a democratically elected local government under section 7(1) of the Constitution.' "Election to the offices of the President and Vice-President or Governor and Deputy Governor and any other office to which a person may be elected under this Constitution, excluding election to a local government council or any office in such council," states paragraph 22 of the Second Schedule Part 1 of the Constitution, which outlines the Exclusive Legislative List on the Legislative Powers of the federation. The aforementioned suggests that the Constitution calls for the state government to have sole authority over local government elections, with the federal government being excluded.

Avoidable delays and lawsuits regarding the conduct and results of local government elections have been brought on by the aforementioned constitutional provisions. Therefore, when INEC ruled in *Chief Sule Balogun & Ors v Attorney General of Lagos State & Ors*, among other cases, that the Lagos state government's use of an invalid voter register to conduct elections was unconstitutional, it acknowledged INEC's duty to compile voter registration for local government elections. In a similar vein, the plaintiff in *Chief Gabriel A. Akanro v. Lagos State Electoral Commission* contested the state's local government elections, arguing that the voter list to be used was the one created by the Federal Electoral Commission (FEDECO) for the general elections of 1977–1978 in 1979. It was held, among other things, that the Lagos State Electoral Commission (LASIEC) cannot legally hold,

organize, undertake, and conduct local government elections until the FEDECO has prepared the voter registration form, which is required by law to be completed for each local government election on a date set by the state governor. As a result, the court ruled that the election was invalid.

This is related to the fact that, while though the National Assembly's authority over local government elections is restricted to enacting legislation pertaining to voter registration and the process that governs elections, it has a tendency to overreach. For example, in *Attorney General of Abia State & Ors v. Attorney General of the Federation*<sup>45</sup>, the National Assembly passed the Electoral Act 2001, which aims to establish electoral wards and regulate the terms of office for local government chairmen and councilors. In a thoughtful decision, the Supreme Court declared the Act to be invalid, stating that the National Assembly lacked the authority to do so outside of the Federal Capital Territory of Abuja. Hence, the jurisdiction to legislate on the tenure of local government is constitutionally reserved for the states by virtue of Section 7(1) of the Constitution.

It is recommended that only one level of government handle local government elections. Giving SIEC the authority to run the election and allowing INEC to create or update the voter list is pointless and foolish. Experience demonstrates that state governments have over the years simply concealed under their constitutional powers to handpick their party supporters and loyalists and plant them as chairpersons of the councils under the guise of election, even though a review of the constitutional provision on council elections would indicate that the drafters of the Constitution intended for the state governments to handle every aspect of local government elections. What is more, the state governments appoint the chairman of SIEC and give him the names of those he would declare the winner even before elections into the councils are conducted.

Once more, a democratically elected local government council is provided for under section 7(1) of the 1999 Constitution. However, in *Akan v. Attorney General of Cross Rivers State*,<sup>48</sup> the court interpreted section 7(1) of the 1979 Constitution<sup>47</sup>, which calls for a democratically elected local government council. The constitution declares that a system of local government would be governed by democratically elected local government councils. Additionally, the government of each state is required to make sure that these councils are legally established. This is a mandatory, non-optional requirement. A legislation that does not provide for democratically constituted councils, or councils elected democratically, prohibits any state government from acting in this regard.

Unfortunately, notwithstanding the aforementioned ruling, state administrations continue to exploit and violate Section 7 (1) of the Constitution by establishing caretaker committees within the council. For instance, elected local government leaders have been routinely ousted and disbanded by the states. Additionally, they had passed legislation allowing them to designate administrators or a caretaker committee to local government councils in place of elected representatives, as the Constitution intended and mandated. The aforementioned claim is supported by countless examples. Therefore, in *Amodu v. Governor of Oyo State* and *Umar v. Governor of Kaduna State*, a local government law that called for the appointment of nominated rather than elected members to a Local Government Council was ruled to be beyond the scope of the

1979 Constitution, whose terms of operation conflict with the current 1999 Constitutional provision on the subject. Comparably, in *Adenij-Adele v. Governor of Lagos State*, a Local Government Law that allowed for the selection of members to the Area Councils in the Federal Capital Territory, Abuja, the Councils have a great deal of autonomy in many ways. Comprehensive guidelines for holding elections in area councils were established under the Electoral Act of 2010. For example, INEC holds elections to fill the positions of area council members, chairman, and vice chairman. Members of the area councils may also be qualified or disqualified under the Act. The Constitution ought to contain comparable provisions regarding the councils in each of the federation's states. If INEC is given the authority to do so, as is the case in the FCT, we submit that the election process for the council will be transparent.

### Implications of Political Tenure

The reviewed articles focused predominantly on accountability (85%), personnel cost (83%), service delivery (80%), political development (78%), leadership (76%), continuity (75%) and poverty (73%). The summary of findings in these articles are as follows:

- i. **Poor Accountability:** One of the main effects of elected local government officials' term instability is the serious undermining of accountability and transparency, two essential components of democracy and good governance, depriving the public of their right to democratic dominance. For individuals involved in providing and delivering services to the general public, public accountability emphasizes the importance of the public will over private interests (Ujjwal & Roche, 2020). Because they are not chosen by the general public, caretaker committees are answerable to the governors who appointed them rather than the people. A system like this illustrates rule by right, when the majority of people are completely ignored and isolated, as was the case under the previous military government. The result is inefficiency in the use of public resources, loss of quality control in the delivery of public service, corruption and the likes. Things began to happen covertly or in the dark at the local governments thereby raising dust on accountability and transparency. The implications are that the enjoyment of democratic life is hindered and grassroots development is greatly impeded (Akubor, 2014).
- ii. **High Personnel Cost:** When political appointees leave the administration and are replaced, personnel costs are typically incurred. The municipal government system had a similar experience. Due to the high rate of leadership turnover in municipal governments, enormous quantities of money are spent. In addition to renovating the local government's homes, takeoff grants or allowances are given out after a new caretaker leadership is in place. Fayol (1841–1925) made this argument when he stated that since recruiting new employees typically entails recruitment and selection expenses, management should take every precaution to avoid tenure instability and significant labor turnover (Tonwe & Denga, 2003; Dellapiare, 2020).

- iii. **Poor Service Delivery:** Unstable political leadership at the local level is largely to blame for the lack of basic infrastructure in our rural communities. Public advice and deliveries suffer and are at their lowest point because the majority of states have been utilizing caretaker committees throughout the years instead of democratically elected councils. The caretaker committees must follow the master's instructions, which are typically those of the rent-seeking elite. Once in power, they thereby divert federal funds (as a form of satisfaction) to their own conflicting self-interests to the point where, in certain local councils, even paying staff salaries becomes an enormous undertaking. Apart from this, most of the caretaker committees have a short period to stay in office—some six months, others even less. With this short and uncertain duration therefore, there is no room for planning in terms of annual budgeting which articulates projects for the provision of basic services or infrastructure (Enyi, 1985; Darn, Ikejiani-Clerk & Mbat, 2001).
- iv. **Weak Political Development:** Rural residents lose their political clout as a result of local government elections not being held. Because they are unable to take part in their own affairs, the people are politically crippled. The crucial problem of sustained political development completely collapses when political parties lose ground, undermining grassroots democratic government as a whole. This defeats the primary goal of establishing the local government, which was to include local residents in the management of local matters (Waziri, 2008; Stocker, 2019).
- v. **Poor Leadership:** What can be referred to as "cut-and-nail leadership" results from state governments' complete disregard for democratically elected local councils. This is due to the fact that "the so-called caretaker committees are appointed without any set criteria or standard rules and principles." Selection or appointment to caretaker committees is more of a reward for allegiance to the governor and other influential politicians, to whom the appointees occasionally owe their continued hold on power. Thus, governance is restricted to the caretaker leaders, the state governor, and the godfathers. They are mandated in the councils as masters in their own right, servants only to the governor and the political heavyweights of the local governments (Ademolekum, 2002; Jarle, 2020).
- vi. **Loss of Continuity:** According to management literature, a company with a high employee turnover rate is inevitably going to have low productivity because of the loss of continuity that impacts effectiveness, competence, and experience. Many political appointees lack the skills and background necessary for successful leadership when they first join the government (National Commission on Public Service, 2003). Every new hire has their own set of policies and programs. They were only able to accomplish a limited amount of infrastructure and other initiatives during their brief tenure in government. The amount of abandoned projects in the South East region's local governments



may be a more obvious indication of a lack of continuity (Adegbite, 2019).

- vii. Poverty: Political leadership tenure instability in the local government councils exacerbates the pervasive and crippling poverty in southeast Nigeria, especially in the rural areas. The resulting caretaker leadership is self-serving and influenced by local politics, which prevents it from pursuing people-centered initiatives that would empower the populace and alleviate poverty at the local level (Akubor, 2014; Adegbite, 2019). According to a recent World Bank report from December 2020, Nigeria will have 20 million more impoverished people in the next two years, the most of them would live in rural areas. According to this analysis, political instability at the local level is a major reason why little to nothing is done in terms of growth.

## Theoretical Framework

The "Independent Model EMB" proposed by Lopez-Pintor (2002, cited in Dennis 2010) serves as the theoretical framework for the study. It asserts that EMB, as a government institution, must function independently of any other government body or electoral stakeholders while carrying out its duties as a subsystem in a polity.

## Research Methodology

The study's methodology is the comparative cum case study technique of analyzing Nigerian local government polls, which first reviewed the country's local government elections before focusing on particulars. Techniques Data for the study was generated using a documentary approach. The documentary method, which is the fundamental approach to data generation in political studies, entails the investigation, evaluation, and interpretation of politics and records (Obasi, 2000:172). Accordingly, the documentary technique suggests written records that were already in use and that were created for a purpose other than the researchers' advantage, according to Nwana (1981:177). Documents are published and unpublished materials on the actions of public and private organizations, and they are primarily located in libraries, archives, and such public institutions, according to Obasi (2000:172). They are historical records of the character, course, and patterns of occurrences. Examining numerous written materials on the topics of local government reforms and democratic local government governance in Nigeria from colonial times to the present is part of this study. Textbooks, journals, municipal statutes and regulations, newspapers, state and federal gazettes, and more are examples of these materials. The secondary data was analyzed using content analysis. According to Sheffield (2009), content analysis offers the basis for contrasting current material with user requirements or that of rivals, enabling you to spot possible gaps and possibilities. As a tool, it provides the opportunity to determine the presence of certain words or concepts within texts or sets of texts. Content is used to analysis the presence, meaning, and relationships of government.

## Summary of Discussion of Findings

From the study, a number of observations can be made. They include the following:

- Local government councils in Nigeria are not independent of state governments because, for instance, their appropriations from the Federation account get to them through the state government. This gives the former the undue advantage to hijack them all in the name of Joint Account.
- Political reason can be advanced for why many state governments have resorted to the use of caretaker committees as opposed to elected councils. Because of the fact that most states are composed of political parties having more or less equal electoral strengths, conducting local government polls will amount to ceding some councils to opposition parties.
- Economic reason also explains why some state governments seldom conduct local government elections. Because of how practically all state governments feed fat on the local government councils with regard to their federal allocations, conducting local government elections will reduce such benefit. Furthermore, the poor financial status of some state governments accounts for why they cannot conduct local governments elections.
- Security challenges in some parts of the country, especially north-east, have prevented state governments to order their SIECs to conduct local government polls.

Caretaker committee syndrome is unconstitutional because it has no basis in the 1999 Constitution of the Federal Republic of Nigeria. Also unconstitutional is the action of some state governments in dissolving elected local government councils and constituting caretaker committees. In fact, in cases where such actions have been challenged by the members of the dissolved councils in courts (until the December 2016 judgement of the Supreme Court of Nigeria), they have not gotten 'justice' as either some courts upheld the actions of such governors or, where counts have ordered that they should be reinstated, such rulings have always been rebuffed by state governments. A case in point was the experience of the members of the dissolved councils in Rivers State in 2015 earlier cited in this study.

Most state governors are intolerant to opposition thus explaining why they will not want any local government council in their states to be under the control of an opposition party. The case of Offa Local Government Area, Kwara State, in 2010 earlier cited in this study readily comes in here. Until their dissolution in October 2016, all the local government chairmanship seats and councillorship positions in Kwara State were controlled by APC which is the party at the helms of affairs in the state. This study views this as antithetical to democratic norm in any liberal democracy.

## Conclusion

The study looked at the responsibilities of elected officials, their interactions with important local government figures, and the impact these have on local development. In addition to examining significant changes that have occurred in the Nigerian local government system over the past forty years, the study has brought attention to the responsibilities of both elected officials and important local government employees. Additionally discussed are instances and causes of conflict within Nigeria's local government system and its impact on grassroots development. In order to provide the state and the nation with a successful local government

as a third tier setup in the Nigerian Federation, the work concluded by bringing up important problems. Members and officials must both understand that no aspect of the authority's operations and management can be viewed as solely theirs if local government is to have any hope of adopting a corporate approach to its activities. The relevant key official should be able to comfort himself that he did not contribute to the council's failure to meet expectations, as demonstrated by the anonymous examples mentioned above. Nevertheless, he still bears some of the responsibility because the council he advised failed.

### Recommendations

Therefore, it is the responsibility of all chairmen and councilors, regardless of their position, to always keep in mind Benemey's (1968) description of a council as a gathering of individuals who want to discuss their shared issues and come up with solutions that everyone in the council area can agree upon. Throughout their term, councilors must make sure they continue to accomplish this. For elected officers, this is their ultimate duty and responsibility. By making an effort to foster understanding and camaraderie among themselves, they must establish and preserve a constructive, positive unity with important members of their local governments.

Councilors must also understand that the key functionary is more than just a servant who follows orders. It is undeniable that elected members must make the majority of policy decisions, but officers also play a part in generating and formulating policies and ensuring that councilors have access to the information and analysis they need to make the best choices.

The essential functionaries are extremely important components or resources for a local government council's effective operation and its capacity to fulfill its responsibilities as the third level of the Nigerian government, whether viewed in terms of role or connection. Both parties must acknowledge this fact.

In order to demand allegiance, an elected official must be willing to show loyalty to the paid officers. In this manner, the salaried officer would try to do everything within his power to ensure that a program or policy is implemented as much as possible, regardless of whether it went against their advice.

The dual character of local government administration and the requirement that officers and members acknowledge that each has a role to play must be accepted by both elected officials and important staff. They can't be kept in different waterproof compartments. Both ought to be cooperating to achieve a common goal. Better decision-making and, thus, better service to the electorate can only result from mutual respect and confidence.

Appointed officers must acknowledge that councilors have a legitimate interest in managing situations involving their constituents on a daily basis and that in order for them to be successful, they need to be provided with sufficient data and information to help them carry out their duties. Often, they pursue such issues through the administrative apparatus due to a lack of knowledge.

Among other things, the study suggests that since the representatives are members of the community and not representatives of the federal government, their decisions on the needs and priorities of the local community are likely to be accurate and, at the very least, legitimate. In Nigeria's pursuit of

national change, democratic local government is obviously essential, and the sooner it is established and ensured, the more secure the democracy and the future of Nigerians at large will be. In order to address the issue of political tenure instability in our local governments, particularly in the South East geographical zone of the nation, the study suggests the following actions.

- i. In order to remove the employment of caretaker committees, the upcoming constitution review should prioritize establishing a specified term of office for elected local government officials. Political stability in the system should be ensured throughout that time by the provision granting elected local council leaders a three-year term. The constant employment of caretaker committees to run local government operations, particularly in the South East, will be greatly curbed if the tenure period is stipulated in the constitution.
- ii. Only states with democratically elected local governments, as mandated by the Constitution, should receive funding from the federal government. States that use caretaker committees in their local government systems ought to have their statutory allotment withheld until they establish democratic leadership in their local government areas and adhere to the constitutional mandate. Local governments, particularly those in the South East, should receive the funds allotted to them so they can fulfill their constitutional obligations.
- iii. The South East states' concerned residents ought to turn to the legal system for relief. The courts might issue decisions that could stop the trend. For example, on December 20, 2011, the Chief Judge of Kogi State ruled that "any structure formed for the governance of a council outside a democratically elected council, in whatever form or name is illegal, null and void and therefore unconstitutional" (Agbana, 2012). States in the nation's southeast ought to follow suit.

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35. 1PhD, Department of Political Science and Public Administration, University of Uyo, Nigeria, Address: Ikpa Rd, Uyo, Nigeria, Tel.: 08029424886, Corresponding author: edettom444@yahoo.com.