

Comparative Study of Local Government Systems in Nigeria and United States of America (USA)

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Abstract

The operational challenges facing local government system in Nigeria have seriously curtailed its optimal performance at meeting the needs of the people at the grassroots compared to the United States of America (USA) where the structural arrangement of the local government administration has contributed immensely to sustainable development of the country. This paper carried out a comparative study and appraisal of local government structures in Nigeria and USA in order to unveil the extent to which local administration has responded to the development aspirations of the people in both countries. The paper, which relied on secondary source, found that local government system is better organized structurally and legally in USA, and have recorded tremendous successes in meeting the development aspirations of her citizens as opposed to Nigeria where the reverse is the case. The poor performance of local government administration in Nigeria was linked to concerts of internal factors, including corruption, weak funding and lack of financial autonomy, among others. Nigeria should domesticate much of the USA local government model in order to make the governance system at the local level more democratic, self sustaining and more responsive to the development needs of Nigerians.

Keywords: Local Government, Administration, Federal States, Nigeria, USA.

Introduction

Local government system is very central to the development process all over the world as the system is designed to develop the rural area and its people. Thus, the local administration discharges its political and economic mandates to the people by providing them basic social amenities such as feeder roads, pipe borne water, construction of market stores and provision of primary healthcare centers, among others. According to Aliyu and Kohen (1982), the evolution of modern local government system in Nigeria is replete with “trial and error” when compared to

the advancement of the local government administrations in United States of America (USA), which has been practicing the system under its federal state system over a century.

Nigeria as a federal state operates three tiers of government, including the federal, state and local government systems, and each of these tiers derived its power from the 1999 constitution. Although, the local government administration was established for the development of the rural community in Nigeria, these noble objectives have largely been unaccomplished because of many operational challenges compared to the overwhelming success of local government administration in the USA (Charles 2013). This paper focuses on comparative appraisal of local government administrative system in Nigeria and the USA in order to ascertain the extent to which the system has contributed to the development of the people at the grassroots level in both countries.

The paper traces the origin of local government administrations in Nigeria and USA and unveils the structural, legal and financial foundations of the system in the two countries. The study extends further to examine the fundamental similarities and dissimilarities of local government administration in the two countries, and assesses the impacts local government administration on the development aspirations of the people of both countries at the local government level.

Conceptual Clarification

As posited by Osuagwu (2008), local government refer to a system of government involving administration of public affairs in each locality by a body of elected or appointed representatives

of the local community, which possesses some considerable amount of responsibilities and discretionary power to administer local community. According to the United Nations (1998), local government is a political division in a federal system which is constituted by law with prescribed purposes while Enemuoh (1999) was of the opinion that local government is the lowest unit of administration in a state that is legally distinct with power to raise revenue and undertake responsibilities under an elected leadership, which make the grassroots government answerable to the local population. Augustine (2009) posits further that local government is a tier of government through which popular participation, both in the choice of decision makers and in the decision making process is conducted by local bodies. While recognizing the supremacy of the central government, local government is able to accept responsibility for its decisions within its area of jurisdiction.

To Oyediran (1998), local government is the lowest level of government in a modern state, which is legally distinct as the third tier of government in the federation to perform specific responsibility that is peculiar with local community. James (2003), view local government as a political authority created by law of the state, which aims at providing essential services of local nature to the area for which it is created. Local administration is a system of government with different models. Thus, Simeon (2014) believed that Ultra Vires model of council administration is a guide to the local council authority, which identifies relevant sections of the constitution in relation to the restriction placed on the degree of local government autonomy while the General Competence model of local administration stimulates local governments to render variety of services to the people at local level in order to demonstrate latitudes towards provision of basic amenities in the areas of their jurisdiction.

Adegbolu (2003) noted that in modern administration, local council is created by law of the central government in a unitary state while in a federal state the system is created by enabling law of the state government through an instrument which defines its boundaries, structures, functions and powers. Therefore, local government is a legal entity which can sue and be sued. Ugwu (2000) observed that the focus of local government is to bring government closer to the people in the rural areas who are in needs of basic facilities. All the above definitions virtually identified the fact that local government administration is governance that is specific to the development of the people at the grassroots. This paper therefore aligns with the above conceptual framework.

Literature Review

According to Olaoye (2008) public revenue mobilization in Nigeria have shown a high degree of centralization of allocation of revenue to the federal government without being conscious of the expenditure requirements of the local government, which is very enormous because of its closeness to the grassroots. Adebowale (2011) identifies different sources of local government financing in Nigeria, which include internally generated revenues, 20% direct allocation from the federation account and 10 % allocations from the state government along 30% from Value Added Tax (VAT). However, the above sources are still inadequate to tackle the enormous challenges of development inherent at local levels in Nigeria.

Tonwe (2007) linked lack of optimal performance by the local government administration in Nigeria to limited ability to raise independent revenue, which leads to their main dependence on allocation from the federation account. Nwakaire (2013) documented the federal allocation to local governments for the period 1976 to 1997 in Nigeria, which showed steady increases during the periods. For instance, the allocation which stood at N100 million in

1976 jumped to N352.6 million in 1980, reflecting a compound growth rate of almost 29%. Nwafor (2006) identified inadequate training of local government revenue collectors as the principal reason for dwindling internally generated resources at the local level. They suggests a better strategy of improving local government revenue through the introduction of additional sources of revenue, improved incentive for extra efforts of the revenue generation staffs and raiding tax defaulter when the need arise.

Lawal and Oluwatoyin (2011) counsels local government administration to respond promptly and adequately to the changing needs of their communities, decides their priorities and articulate better plan of action to implement such policies to a logical conclusion. Kunle (2005) links the ability of the local government system to the quality of its staff, which needs to be highly skilled with constant training and better equipment to work with. According to Ife-ayekwu (2014), for local government to perform their statutory functions optimally, both the executive and the legislative arms of the local government are encouraged to meet and share ideas, and set goals and objectives to be implemented by the local government as their collaboration will enrich the decision making process for optimal result. According to Girish (2014) local governments have performed below expectations as a result of poor management of their finances. Undoubtedly, Finance and its prudent management are the bedrock of effective functioning of local government. Osuagwu (2008) pointed out, the growing prominence of corruption and fraud as the bane of local government administration emanating from weak accounting control mechanism and lack of adequate prosecution of offenders.

Theoretical Framework

This paper adopts Democratic Participatory and Efficient Service theories as its theoretical foundations. Democratic Participatory Theory as championed by Desmon (1988)

local government exists basically to promote democratic governance and citizens' participation in Government at the local government level in order to bring government nearer to the people. This theoretical foundation is premised on the justification for the existence of local government on the basis of its relevance as an essential part of democratic system, which is central to practical administrative strategy to promote accountability in governance at the grassroots level. The Efficiency Service Theory as propounded by Edmund (1993) expressed the need for the existence of local government to provide essential services to the local community as the nearest political unit to the people. The theorist argument is premised on the notion that some services such as defense and external affairs can only be provided by the central authority for the purpose of maintaining common national standards while local matters should be left for the local units to handle. Edmund posits further that there are certain concerns or interests which only a section of the community has in common and suggest that it is convenient as well as advisable that only those who share community interests should administer the local council for peculiarity of interest which can be best managed if they are under the purview of the people in the localities.

The above theories are very relevant to this study as they argues that the local government system is very central to the development of the local areas if well nourished and that the system is far better position than the national government to stimulate initiatives, inculcate the feeling of national consciousness and encourage people to develop themselves maximally at the local level of governance because under the local government system, it is much easier to identify available local skills, interests and capabilities and explore them for grassroots development.

Both the Democratic Participatory and Efficient Service theories as applied to this study are also complemented by the theory of fiscal federalism, which helps to explains how local

government funding are generated for developmental programs at the local level (Abidoye, 2018). The theory was propounded by Musgrave (1959) and Oates (1972) and their works focused on the distributions of public sector functions and funding in a more appropriate manner among the different arms of government (King 1984). As noted by Ekpo (2004), both financial stabilization and equity in its distribution were considered the cardinal points in federal arrangement. The responsibility focus of a federal state has always been on how to allocate responsibilities among the federating units in order to avoid overlapping of responsibilities and conflicts among them. Thus, responsibility attention in federal system has largely shifted to revenue mobilization and allocation among different tiers of government from administrative functions. This is due to the recognition of the fact that adequate finance is a requisite condition for effective service delivery by the federating units. According to Bello (1990), the most relevant area of intergovernmental relations in public administration is finance owing to the fact that no level of government can perform its functions without a strong financial base. In this perspective, the main analytical task of fiscal federalism is to define the appropriate functions and finances of different tiers of government as efficiently as possible that is in such a way as to maximize community welfare.

The theory of fiscal federalism applies to local service units in a metropolitan area as to states in a federation. In principle, however, there are important analytical and policy differences, not only between local metropolitan problems and federal-state problems but even between tight federal state problems and “tight” federations as obtained in Germany and “loose” federations as practice in Canada, with the United States somewhere in-between. These differences arise in part from the constraints imposed by political institutions. For instance, in Nigeria, there are statutory provisions for revenue sharing and powers to generate revenue through specific

sources. The 1999 Constitution of the Federal Republic of Nigeria established the type of fiscal relationships that would exist among the various levels of government as section 149(2) of the 1979 Constitution or section 162(3) of the 1999 Constitution stipulates that any amount standing to the credit of the Federation Account shall be distributed among the federation, state governments and the local government councils in each state on such terms and in such manner as may be prescribed by the National Assembly. However, many political office holders do not respect this constitutional provision that was designed to guarantee local governments' access to sustained funding in Nigeria.

Within the federation account too, the 1999 Constitution provided for state-local financial relationship under section 162 sub sections 8. This section states that the amount standing to the credit of the local government councils of a state on such terms and in such manner as may be prescribed by the House of Assembly of a state. Apart from the constitutional provisions of external revenue to local government, the 1999 Constitution as contained in forth schedule and Model Financial Memoranda for Local Government (1991) and section 45 of Decree No 36 of 1998 provide for internal sources of revenue generation by Nigerian local governments. Despite all these constitutional provisions, local governments in Nigeria depend very heavily on financial transfers from upper levels of governments to carry out their constitutional obligations. This is due to the fact that in most countries; federal or con- federal, there is clearly vertical competition between the different levels of government for revenue. Thus, the democratic participatory and efficient service theories along the fiscal federation theory as adopted in this paper have a good explanatory weight for this study.

Evolution of Local Government System in Nigeria and USA

The evolution of modern local government system in Nigeria dates back to the colonial era, which established different systems of administration at the local level. In Northern Nigeria, local government administration was more oligarchic and theocratic in nature while the organizational structure of local administration in the Southern part of the country was more democratic in nature as the region was not clearly stratified compared to what obtained in the Northern region. According to Ola (1998), the established colonial administration in Nigeria opted for indirect rule system of local administration and co-opted traditional institutions into its management during the colonial era.

In the years 1950-55, the first elected local government council, which was based on the British Whitehall model, emerged in Lagos and the Eastern and Western regions of Nigeria. The legal framework for local government at this period was provided by the regional governments through the Eastern region local government ordinance of 1950, the Western region local government law of 1952 and the 1954 Native Authority law of Northern Nigeria. By this time, the councils were given a wider range of functions, including jurisdiction over primary education, health, police, and judiciary. The local administration at this time was designed in line with the implementation of the colonial government's ten-year welfare and development plans (1946-1956), which gave the local authorities the power to provide social services, including feeder roads, construction of markets and tax collection to the local authorities. The councils also enjoyed a great measure of autonomy in financial, personnel and general administrative matters.

With the collapse of the first republic and the military intervention in Nigerian polity shortly after Nigeria's independence, the military government of Yakubu Gowon introduced some changes in the structures and nomenclature of local government councils in their areas of

jurisdiction which led to virtual uniformities in the structures of local council administration across Nigeria. These administrative changes were further modified by the Muritala/ Obasanjo's regime who introduced local government reforms in 1976 with the aim of repositioning and restructuring local government system across Nigeria. Unfortunately the objectives of the reform were not consolidated upon by the immediate civilian administration that succeeded the regime in 1979.

In order to reposition the local administration for better service delivery, the Babangida's regime also carried out local government reforms in 1991 which aimed at introducing the presidential system of government at local level in order to have democratic elected leaders in the council against the previous practice of appointing council leaders while abolishing the state ministry of local government in the states. Babangida's reforms also promoted direct funding of local government council through monthly federal allocation (Ugwu, 2000).

However, since the country returned to democratic rule in 1999, it is important to point out that intergovernmental relations between the government at the centre and state authorities over administration of local governments in Nigeria has been characterized by dispute and controversies because of non-financial autonomies, which has rendered local government largely incapable to discharge their statutory responsibilities optimally in Nigeria.

In the United States, the emergence of local government administration coincided with the formation of American federal government under the United States Constitution of 1789. According to Riper (1983), the first modern form of American local government administrative state was under the federal auspices between 1789 and 1829. The rational administrative

procedures as supported by hierarchical departmental structure with merit system and systematic decision making process influenced the formation of local government administration in United States.

According to Porter (2006), the USA cherishes democracy and believes that the people are supreme in the running affairs of the state. American local governments are people- centered as far as representation and decision making are concerned as the local government are given statutory responsibility to carry out developmental program at the grass root level, including the provision of social amenities like electricity, pipe borne water and tarred road. The, USA is also a country of 54 States with multi layer local government structure which includes Counties, Municipalities and Special Districts which were all created to carry out specific functions and projects within the local jurisdiction.

Legal and Structural Foundations of Local Government System in Nigeria and USA
The legal transformation and structural foundation of local government system in Nigeria was formalized in 1976 during Muritala/Obasango regime for better service delivery. According to George (1991), the Constitutional Drafting Committee, which was inaugurated in 1978 did a lot to protect the local government council from abuse by state governments. The committee recommended a strong local government system that should be insulated against the control of federal and state tiers of government while report was later embodied in the 1979 constitution.

However, section 7 of the 1979 constitution established the guiding provision for the legal and structural status of local government council in Nigeria when it provided in section 7(1) that the local government system shall operates under democratically elected representatives. The section explains further that government of every state shall ensure their

protection under the law that provided for their establishment, structures, composition, and their finances. In addition, the 1989 constitution as amended during the Babangida's regime have really established a sound financial foundation upon which a virile and democratic local government system of administration was built with the enthronement of a presidential system of government at council level with inherent mechanism of check and balances in local government administration in part II section 7 of the 1989 constitution (George, 1991).

Also, the 1999 constitution of Nigeria under section 7(1) provided for a democratically elected local government administration in Nigeria in which every state of the federation is empowered under section 8 to provide for its finance, establishment, structure, composition and functions while the legal provision approved 774 councils across Nigeria.

In the US, the constitution focuses on the action of the President, Congress and the Supreme Court towards the creation and proper functioning of the local government system as it requires that the states should have a "republican form of government" and that the organization of local council should not be delegated to the federal authority. The amendment empowered the establishment of local government by state authority.

Furthermore, the American constitution under Article VI, states that the state authority shall be free to establish local government and organize them locally. This prompted the state authorities to create various municipal sub divisions such as counties, cities, townships, library boards, and special taxing districts in USA. The structural composition, finance and responsibility of local government in each state of United States and the relationship of these sub divisions between each other and the state along the authority of each of the sub- division are subjects of state constitutions and statutes (Richard, 2008).

The tenth amendment of the US constitution under Article VI provided for the census of all local governments inhabitants in every 5 years by the United States Census Bureau and in accordance with 13 USC 161. As of 2012, there were 89, 055 local government units in the US which comprises counties, municipalities and special districts (Richard, 2008).

Similarities and Differences in Local Government Systems in Nigeria and USA

There are similarities and differences in council administration in Nigeria and USA. First, the legalities and structural foundations of local government system of administration in the two countries are clearly stated in their respective national constitutions. Also the compositions of local council management are based on democratically elected representatives of each political ward that make up the local governments in the two countries.

Local government creations, existence and optimal functionality in the two countries are the constitutional responsibilities of the states. In Nigeria, section 8 (1) empowered the governments at the state level to ensure their existence under a law that provide for the establishment, funding, structure, composition and functions of such councils. Also, Article VI under the tenth amendment of the US constitution also empowered each state in the US to ensure their existence in order to bring government closer to the people at grassroots level. Furthermore, funding of local government administration in the two countries is from internal and external sources as the central government in the US sometimes gives out grants to the council authorities to execute some special projects of urgent needs while in Nigeria there is statutory monthly allocation for all the local governments' authorities to finance their daily activities in their respective council area. Sometime they also received grants from other tiers of government to execute special projects in their localities (Simeon, 2014).

In term of control, Nigeria and USA have similar machineries towards local governments control especially in the area of administration, legislative, financial and judicial controls. The control of the local government by the states and federal government in the two countries was aimed to ensure that the council administrators do not derailed from the attainment of the purposes for which they were established. Both Nigeria and the US also adopt democratic system of governments, which allows for the election of council political office holders rather than being selected while both countries also endorsed federal principle of administrations that borders on devolution of political power to the local levels.

Fundamental Differences in Nigeria and USA Local Government System

There are fundamental differences in local government system of administration in Nigeria and the USA within the range of law and administrations. For instance in Nigeria, section 7(1) of the 1999 constitution empowered the government of every states of the federation to established and make enabling law for the local government administration in their respective states subject to section 8(1) of the 1999 constitution (as amended). The National Assembly is also empowered by the constitution to enlist the local government created by the state in the constitution. But the enlistment of the local government is only contained in the state laws and not that of federal as obtained in Nigeria. Thus, the government at the centre makes no provision for the creation and funding of local government system as it is in Nigeria. The local government system in Nigeria provided for a single model structure of local government system with uniform functions across the states but the local government structure in the US is of 3 model structures with 54 states as major administrative units. The structures comprise counties, municipalities and special districts that perform different responsibilities towards grassroots development in the country (Gleaser, 2011). The number of local government council in the US

is far more than that of Nigeria as there were 89, 055 local government units in the US, comprising counties, municipalities and districts in 2012 compared to Nigeria's 774 local government areas. The greater number of local government in the US directly captured many distant local areas into the development web in the country than what obtains in Nigeria where most local councils are very large in geographical scope and local communities are very far and obscure from the local government headquarters for maximum development attention.

The funding of local government in USA comes primarily from taxes imposed on the residents and loans to finance specific projects while in Nigeria, local government funding is majorly from a monthly allocation from the federation account and other sources listed in the fourth schedule of the 1999 constitution, which sometimes witness short falls. In relation to the degree of autonomy in both countries, the overbearing influences of the state actors in the local government administration in Nigeria hampers the needed council autonomy. A typical example of this marginalization of the local council by the state is reflected on how the joint state/council allocations are being solely administered by the state government without much input from the affected local government authorities. Thus, the financial autonomy of local government system is not fully guaranteed in Nigeria compared to the US where the local governments enjoy full financial autonomy. Within the context of democratic governance, section 7(1) of the 1999 constitution provides for democratically elected local government system in Nigeria with the aim of ensuring all inclusive administration and accountability at grassroots level but unfortunately, some state governments violate this provision and often prevent the people from electing their representatives at grassroots level. Conversely local elections are regularly conducted in the USA to enable the people elect their preferred leaders.

Comparative Analysis of Local Government Systems in USA and Nigeria

The US model of local government system is more impactful on the development process at the grassroots level than Nigeria. as the system solely emphasizes election through which eligible citizen elect their representatives to local government council while majority of the state governors give preferences to the appointment of caretaker management committee through which their stooge and political allies are appointed to administer the council thus denying the people the fundamental rights to elect their representatives to administer the council.

The multi-layer structure of the council system in America, which consists of counties, municipalities and special districts has aided the success of local government activities in the country by making the councils to be more closer to the people at grassroots level compared to Nigeria with a single council layer structure, which has largely distanced the council administration from the grassroots with negligible impact on the people at the local level. Council administration are run by highly skilled manpower in the US, including those with doctorate degree while council officials are regularly trained unlike Nigeria where the reverse is the case as many council workers are semi illiterates who are hardly sent on training programs.

The financial autonomy enjoyed by local government authorities in USA influences their desires to be more aggressive in generating revenue through taxes on essential services within their locality and makes it possible for the local councils to take policy decisions without being influenced by the higher authority. The council system in Nigeria does not enjoy full financial autonomy from the state government, which hampers the execution of their development programs. More so, the local government system in Nigeria mainly depends on federal allocations which sometimes come as zero allocation for project execution and for meeting their financial obligations instead of expanding their source of internally generated revenues as

obtainable in USA. The American constitution empowers the state authority to create local governments without any constitutional requirement for the recognition of the proposed local council through the federal legislature official gazette after two third approvals of all the states in Nigeria. This policy of direct creation of local government in America has made the local government to be closer to the people while also encouraging rural transformation in America. Nigeria need to learn from this policy by amending section 8 (1) of the constitution which limits the State government's power in creating additional local governments in their states without the authorization of the National Assembly.

Discussion of Findings

The American local government system is more efficient and highly enriched in democratic values than Nigeria while its multi layers structures replicates the foundation of protecting the rights of minorities rather than being used as an avenue to serve the parochial interests of council officials as obtained in Nigeria. Nigeria needs to learn from America her style of administration in order to promote positive impacts on their mandates to their local communities. On the issue of funding, the effective strategies of income generation in the US needs to be domesticated in Nigeria to curtail the latter's over reliance on statutory monthly allocation from the federation account, which is very insufficient to meet both the capital and recurrent expenditures of the councils in most instances.

There is need to amend the Nigeria constitution to give the local government full financial autonomy to reduce the overbearing influence of the state government on local administration, which has largely reduced their capacity to discharge their constitutional responsibilities to the local communities contrary to what obtains in the US local government system.

Conclusion

This paper comparatively analyzed the local government systems in Nigeria and USA, both of which are federalist and democratic countries within the international system. Findings from the paper reveal that the evolutions and structures of local government systems in the two countries are different as the multi-layer structure of the US local government model is different from the single layer structure in Nigeria. The US system is also characterized by a strong administrative structure and sound financial base contrary to what obtains in Nigeria; a country with weak administrative structure and fragile financial base which has hampered the desire of the local administration in Nigeria to discharge their constitutional mandate effectively. The paper concludes that the operational challenges facing local government system in Nigeria have seriously curtailed its optimal performance compared to what obtains in the United States of America (USA) where the structural arrangement of the local government administration has contributed immensely to sustainable development of the country.

Recommendations

The local government system in Nigeria should be given full financial and political autonomy without the interference of both the federal and state governments in Nigeria for optimal performance as obtainable in the US. Nigerian Local government staff should be sent on regular training in the US to understudy their local government system of administration with a view to replicating them here to improve their operational performances. The culture of accountability and transparency in the management of local administration as obtained in the US should be replicated in Nigeria.

More local governments should be created in Nigeria as obtained in the US to bring development nearer to the people. There are 89, 055 local government units in the US, comprising counties, municipalities and districts as of 2012 compared to Nigeria's 774 local government areas. The greater number of local government in the US directly captured many distant local areas into the development web of the near-by council than what obtains in Nigeria where most local councils are very large in geographical scope and local communities are very far and obscure from the local government headquarters for maximum development attention. There should be constitutional amendment in favor of multi-tier local government system in Nigeria like the US to facilitate decentralization of power to the local authorities in order to promote effective governance at the local level.

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