

## DEMOCRATIC LOCAL GOVERNMENT COUNCILS: AN OPTION OR AN INJUNCTION.<sup>1</sup>

**Prof Okonkwo Peter Obi PhD (Buckingham), LL.M (Ife) LL.B (Nig)**  
Faculty of Law, Chukwuemeka Odumegwu Ojukwu University,  
Igbariam. [po.okonkwo@coou.edu.ng](mailto:po.okonkwo@coou.edu.ng); 08037025761; 09015753665

**Dr. Chibuzor Ikenna (Assoc Prof) PhD (COOU), LL.M (ABSU), MILD (Esut) LL.B (Nig)**  
Faculty of Law Madonna University, Okija [ikennachibuzor97@gmail.com](mailto:ikennachibuzor97@gmail.com) 08033428461

### Abstract

The relevance of the local government council does not lie in its descriptive essence as the third tier of government. The optimal political value is faceted on its capability to engender good democratic cultures and values, effective participation in the process of development at the grassroots with the possibility of filtering up to the national level. Thus local government is seen as both a nursery for democracy and a place for grooming national leaders. The basic precept underlying local government administration is that inhabitants of a given area have the right and responsibility to make decisions on those issues that affect them most directly and on which they can make decisions. It throws up the concept of democratic governance, self-government and administration closest to the people. In spite of the pronouncements of the appellate courts in Nigeria, the provisions of international legal instruments and the Nigerian constitution on compulsory democratisation of the local government affairs, the few states who comply with these legal injunctions do so reluctantly while most governors see them as limitations to their access to the public vault. This paper highlights the golden advantages of the promotion of democratic and autonomous local government institutions and the invaluable contribution it can make to national development. The paper strengthens its position by presenting the existing international, regional and domestic legal frameworks that prescribe democratically driven local government councils as basis for legitimacy, not as an option but as an injunction.

**Keywords:** Local Government, Democracy, Legitimacy, Autonomy.

### 1.0. Introduction.

The relevance of the local government council does not lie in its descriptive essence as the third tier of government. The optimal political value is faceted on its capability to engender good democratic cultures and values, effective participation in the process of development at

---

*This basic trust, sometimes called “social capital”, can only be built from the ground up, from the local level. A vigorous local democratic culture, a vibrant civil society, and an open, inclusive local government, are fundamental to the long-term viability of any democracy*

**-Bengt Säve-Söderbergh Secretary-General International Institute and Democratic Assistance (IDEA)**

---

the grassroots with the possibility of filtering up to the national level.<sup>2</sup> Thus local government is seen as both a nursery for democracy and a place for grooming national leaders.

The basic precept underlying local government administration is that inhabitants of a given area have the right and responsibility to make decisions on those issues that affect them most directly and on which they can make decisions. It throws up the concept of democratic governance, self-government and administration closest to the people. Although some larger issues like national defence, foreign policy, and security may affect them directly, these matters are usually too big to be handled at the local levels and are thus within the exclusive jurisdiction of the state and national governments.

The key concepts in local government administration include *Local Community Participation, Deliberation, Political education, Good Government and Social Welfare*.

*Local Community Participation* is the basis of modern notions of citizenship because its institutions and decision-making procedures may allow for a more direct form of democracy in which the voices of ordinary individuals can be heard most easily.

The concept of *Deliberation* elicits that democracy is more than elections. It involves meaningful dialogue, debate, and discussion in an effort to solve problems that arise in the community. Deliberation is more than listening to citizen complaints. A truly deliberative democracy is a give-and-take dialogue among all interest groups in a community about the key decisions and actions they face together.

Local democracy facilitates *Political education* through which citizens gain knowledge about community affairs that otherwise resides with elected public officials at the state and national levels.

Participatory democracy at the local level unlocks the virtue and intelligence of the populace, engenders *good government* and promotes *social welfare*.

The British colonial regime conscious or otherwise of the concepts and advantages of democratically structured local government administrations, implanted them in their African territories. In a confidential dispatch to the Governors of British African territories, Sir Arthur Creek Jones wrote:<sup>3</sup>

*I believe that the key to success lies in the development of an efficient and democratic system of local government. I wish to emphasise the words efficient, democratic and local. I do so not because they import any new concept into African administrations; indeed, they have been the aims of our policy for many years. I use the words because the system of Government must be close to the common people and their problems, [provide] local services in a way which will help raise the standard of living; and be democratic because it must not only find a*

---

<sup>1</sup> **Abbas, B. & Ahmad, B. M.** Challenges of Democratisation at the grassroots in Nigeria: Case study of Taraba State. *Research on Humanities and Social Sciences* (2012) 2(7),98-108. <http://www.iiste.org> (accessed 5<sup>th</sup> August 2021).

<sup>3</sup> **Rowland, M & Hume D** (1969) *Administrator Quarterly Review of the Institute of Administration*, University of Ife, Vol III (3).

*place for the growing class of educated men, but at the same time command the respect and support of the masses of the people.*

Since 1950, when the elections into local councils were held under the British colonial system, the legal framework for democratically elected local government officials had remained in the successive Nigerian Constitutions. Separate legal frameworks existed at the regional levels; Eastern Regional Local Government Ordinance 1950, the Western Regional Local Government Law 1952 and the Native Authority Law of Northern Nigeria, 1954. The regional laws created councils that were imbued with functions and autonomy on matters which included primary education, health, police, judiciary, finance, personnel and general administration.

The 1976 local government reform was a landmark achievement in the democratisation of local government in Nigeria. The Federal Government Guidelines for the Reform of Local Government defined local government as ‘*government at local level exercised through representative council established by law to exercise specific powers within defined areas.*’ The reform created a uniform legal regime that abrogated the regional legal frameworks and established constitutionally based local governments as the third tier of government in Nigeria. The tenets of the reform were codified in the 1979 Constitution, which guaranteed the system of local government through democratically elected councils. The coup d’état of 1984 produced a military regime headed by Major General Muhammadu Buhari which jettisoned the entire democratic structure, including elected local government area councils. In December 1987, the regime of elected local government councils was reintroduced by the Babaginda military administration through local government elections on a non-party basis. Nigeria finally returned to democratic rule under the 1999 Constitution which government guarantees the existence of democratically elected local government councils.

The 1999 Constitution (as amended) also provided for democratically elected local government councils by ensuring that chairmen and councilors emerge through elections conducted by the State Electoral Commissions. Even though it granted powers to conduct such elections to the states, it is not left to the discretion of the Governors. Thus it provides that:<sup>4</sup>

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

The National Assembly has exclusive jurisdiction on electoral matters in the area councils of the Federal Capital Territory while the State Houses of Assembly can legislate on regulations to elections to the local government councils provided that the National Assembly has not made any law in that respect.<sup>5</sup>

To accentuate the importance of the local government area councils as a tier of government and relevant to the wellbeing of citizens, the constitution provided for specific functions for them.<sup>6</sup>

---

<sup>4</sup> *ibid* s 7(1).

<sup>5</sup> *ibid* Schedule II part II, paras 11 and 12.

<sup>6</sup> *ibid* Fourth Schedule paras 1 and 2.

## 2.0. Advantages of Local Government Elections.

Local elections can have certain distinct advantages as compared with national elections, including the following.

- *Indicator of National Political Trends.* Local elections are important for their role in a broader national democracy. The result of local government polls can be important indicators of national political trends.
- *Determination of Voters' Priority.* Issues in local elections are those that directly affect the daily lives of citizens. Sometimes these local issues relate to the interest of voters, statewide and nationwide since every citizen is an indigene or resident of a local government area or the local government council of the federal capital territory. The nature of the contest and the result therefrom among parties and candidates, and the issues that arise, can be an important indicator of what voters care deeply about at the state and national levels.
- *Democratisation Process.* Local elections may be used as a preliminary step to the democratisation process of a country. The local government elections in Nigeria in 1998 was used as a prelude to the nationwide elections that ushered in the return to civilian administration in 1999.
- *Political Inclusion.* Local elections can be highly useful for allowing minorities at the national level to find inclusion in the political life of a country.
- *Development of National Party Systems.* There are also intricate linkages among local elections, party systems, and local level and national-level party system formation. In Nigeria, for example, party formation rules applied to the local elections in 1998 had a strong influence on the formation of the party system at the national level in Nigeria.

## 3.0. Unelected Local Government Officials.

The Governors of various states relied on the concurrent legislative power of the state Houses of Assembly on the regulation of elections in the local government areas to goad the legislatures into making laws authorizing them to appoint caretaker committee members into the local government councils in lieu of democratic elected officials. This constitutional provision places the local councils under the blanket control of state governments. As a result of this provision, most local governments are run by non-elected officers appointed by state governors to serve in 'transition' or 'caretaker' committees, contrary to the provisions of section 7 of the constitution. The Court of Appeal took judicial notice of this practice in *AG, Plateau State v Goyol*<sup>7</sup> per Aka'ahs, JCA (as he then was). His Lordship said that the penchant of State Governors to dissolve Local Government Councils is clearly undemocratic.

The Supreme Court severally frowned at these undemocratic maneuvers which still persist in some states. In the case of *Governor of Ekiti State and ors v. Prince Sanmi Olubunmo & 13 ors*<sup>8</sup> the Ekiti State House of Assembly purporting to be exercising its legislative powers under the provisions of Sections 4(6) and 7(1) of the 1999 Constitution (as amended) enacted the Ekiti Local Government Administration (Amendment) Law.<sup>9</sup> In the said law, sundry matters relating to the establishment of Local Government Councils are provided for in Sections 2-5. In particular, section 5 provided for a tenure of three years for the offices created therein. Section 23B of the Law provided that the Governor shall have power to

<sup>7</sup> (2007) 16 NWLR (pt 1059) at page 94

<sup>8</sup> Above n 615.

<sup>9</sup> Cap L11, Laws of Ekiti State, 2001

dissolve the local government councils ‘for over-riding public interest’ subject to the two-thirds majority approval of members of the House of Assembly. Such dissolution shall not exceed a period of twelve calendar months wherein the Governor shall have power to appoint a seven-member Caretaker Committee out of which a Chairman shall be appointed pending the conduct of election to occupy the office of the Chairman.

The Attorney General of the state in his brief of argument at the Supreme Court argued that the House of Assembly is the *Alpha and Omega* as far as the issue of Local Government is concerned and any law validly made by them to regulate and control the Local Government ought not to be questioned by the Court because the Constitution donates such powers to the House of Assembly. He also relied on the provisions of section 2(2) of the constitution. The Supreme Court discountenanced the argument and held as follows:<sup>10</sup>

*Section 7 of the Constitution of Nigeria imposes a duty on the Governor of a State to ensure that the system of Local Government continues unhindered. Accordingly, a Governor’s act of dissolving Local Government Councils and replacing them with caretaker committees amounts to the Governor acting on his whims and caprices, unknown to Nigerian laws, and clearly illegal and undemocratic. It is the duty of the Governor of a State to ensure the existence of Local Government Councils instead of destroying them. ... In this case, the Court of Appeal was right when it found that the Governor lacked the legal competence to dissolve the elected Local Government Councils and appoint caretaker committees in their stead and that this act was illegal, ultra vires, and of no effect whatsoever.*

The Court went further to strike down the provisions of section 25B of the Ekiti Local Government Administration (Amendment) Law of Ekiti State in the following words:

*The implication, therefore, is that Section 23B (supra), which was not intended to ‘ensure the existence of’ such democratically-elected Councils, but to snap their continued existence by their substitution with Caretaker Councils, was enacted in clear breach of the supreme provisions of Section 7 (1) the Constitution (supra). To that extent, it [Section 23B, supra] cannot co-habit with Section 7 (1) of the Constitution (supra) and must, in consequence, be invalidated.*

Moreover, the Constitution in providing for the foundation for a democratically elected local government council members made a provision for establishing State Independent Electoral Commission.<sup>11</sup> The Commission which comprises of a Chairman and not less than five but not more than seven other persons shall have powers to:<sup>12</sup>

- (a) *organise, undertake and supervise all elections to local government councils within the State;*
- (b) *render such advice as it may consider necessary to the Independent National Electoral Commission on the compilation of and the register of*

<sup>10</sup> See also Attorney General of Plateau State & ors v Goyol & ors, 45 (2007) 16 NWLR (Pt. 1059) 57; Eze v Governor of Abia State, 46 (2014) 14 NWLR (Pt. 1426) 192.

<sup>11</sup> 1999 Constitution (as amended) Third Schedule, part II, Item B, para 3.

<sup>12</sup> *ibid* para 4.

*voters in so far as that register is applicable to local government elections in the State.*

### *3.1. Statutory Framework*

Amendments to a constitution can be subject to complex and time-consuming procedures, often involving difficult political negotiations. It is therefore not recommended that constitutional provisions go beyond describing the very foundation of the electoral system and guaranteeing fundamental rights. In order to allow for a measure of flexibility, provisions on the administration of the elections and other procedural matters should be left for legislation enacted by the parliament and administrative rules issued by authorised election management bodies.

Election legislation can be divided into general and specific election legislations. General Election Legislation establishes a common legal framework governing all elections to the executive and legislative branches, at national and local levels. Specific Electoral legislation establishes special legal provisions that govern elections to a specific body of government with provisions deviating from or supplementing the general legal framework for elections.

Different countries approach the application of the division between general and specific election legislation differently. A country may adopt a separate law on the "basic principles" of elections, which defines provisions that are applicable to all elections while adopting separate laws containing provisions specific to individual elected institutions, or other elections. Some other countries may include the entire election legislation in one law with separate chapters containing provisions for the various elected institutions or other elections.<sup>13</sup>

General election legislation regulating all elections is highly desirable because it encourages consistency in election administration and practices whilst fostering unified implementation of the law in connection with all elections. Such an approach also simplifies the drafting process in cases where amendments to legislation are needed. However, in some cases, particularly in federal systems, such an approach may not be possible. Like many countries that operate the federal system of government, the Constitution of Nigeria provides for concurrent legislative powers on issues of election. While the National Assembly has the power to make laws for registration of voters and the procedure regulating elections, it does not preclude state Houses of Assembly from making laws with respect to election to a local government council in addition to, but not inconsistent with any law made by the National Assembly.<sup>14</sup> In other words, specific legislations for elections to the Local Government Councils can be made by the component states in Nigeria provided such laws are not inconsistent with any law made by the National Assembly. The National Assembly has the exclusive legislative power to make laws for formation and registration of political parties.<sup>15</sup>

Therefore, in Nigeria, the statutory framework for elections are found in the Electoral Act and the various laws of the states on the conduct of local government elections. The Electoral Act is specifically applicable to elections to National and State legislatures and the Area council

---

<sup>13</sup> International Electoral Standards Guidelines for Reviewing the Legal Framework of Elections; International Institute for Democracy and Electoral Assistance (International IDEA) 2<sup>nd</sup> edition 2013 p 11.

<sup>14</sup> Part II [Section 4] Concurrent Legislative List, para 12; Part I Second Schedule [Section 4] Exclusive Legislative List, para 22.

<sup>15</sup> Part I Second Schedule [Section 4]c Exclusive Legislative List, para 56.

elections of the Federal Capital Territory. Thus the Explanatory Memorandum of the Electoral Act 2022 dictates that *'this Act repeals the Electoral Act No. 6, 2010 and enacts the Electoral Act 2022, to regulate the conduct of Federal, State and Area Council Elections ...'* (my emphasis).

Curiously however, the Electoral Act provides that the procedure regulating elections conducted by the INEC to Area Councils in the Federal Capital Territory shall apply with equal force as the procedure regulating elections conducted to Local Government Area by the state Electoral Monitoring Bodies.

Whichever mode of legislation is adopted by a country, the following principles are fundamental to election legislation:<sup>16</sup>

- Election legislation should be stated in clear and unambiguous language.
- Election legislation should avoid conflicting provisions between laws governing national elections and laws governing sub-national (provincial or state) and local elections; provisions governing the administration of national elections should be in harmony with the provisions governing such other elections because court decisions at one level could affect legislation in other jurisdictions.
- The respective powers and responsibilities of the national and local electoral management bodies, and governmental bodies, should be clearly stated, distinguished and defined to prevent conflicting or overlapping powers being exercised by other bodies.
- Election legislation should be enacted sufficiently far in advance of an election date to provide political participants and voters with adequate time to become familiar with the rules of the election processes. Election legislation enacted at the last minute tends to undermine the legitimacy and the credibility of the law and prevents political participants and voters from becoming informed in a timely manner about the rules of the election processes.
- Election legislation should be enacted in accordance with the applicable legal provisions governing the promulgation of laws by the legislature. Election legislation that is not enacted in accordance with the applicable legal provisions may be challenged and risks annulment by the courts.
- Election legislation should be published and made readily available for the intended users including the general public.

An election law cannot and should contain all provisions relevant to the election process. The election process will require the involvement of institutions and procedures based on other parts of the national legal system. A national legislation should contain provisions governing the media, registration of political parties, citizenship, national registers, identity documents, campaign finance and criminal provisions related to election law violations. All legal provisions that have an impact on the election process should be identified and assessed. The Constitution<sup>17</sup> states that the National Assembly shall make provisions in respect of persons who may apply to an election tribunal or court for the determination of any question enumerated thereunder. The promulgation of the Electoral Act by the National Assembly flows from the above conferred powers.

---

<sup>16</sup> *ibid* p 15.

<sup>17</sup> s 184(a)(b)(c)

The extant Electoral Law is the Electoral Act, 2022. The Act which repealed the Electoral Act 2010 made provisions with regards to:

- The establishment, functions and staff of the Election Management Body;
- Registration of voters and voters' register.
- Procedure at national, state and area council elections;
- Political parties;
- Electoral offences
- Determination of election petitions and
- Other miscellaneous provisions

#### 4.0. *Conduct of Local Government Elections.*

At the state level, the Constitution provided for the establishment of a State Independent Electoral Commission (SIEC), which shall have power:<sup>18</sup>

- (a) to organise, undertake and supervise all elections to local government councils within the State;
- (b) to render such advice as it may consider necessary to the Independent National Electoral Commission on the compilation of and the register of voters in so far as that register is applicable to local government elections in the State.

In addition to the constitutional functions assigned to the INEC and SIEC by the 1999 Constitution,<sup>19</sup> the Electoral Act provides that the INEC shall have power to:<sup>20</sup>

- Conduct voter and civic education
- Promote knowledge of sound democratic election processes; and
- Conduct any referendum required to be conducted under the provisions of the constitution or an Act of the national Assembly.

The constitution does not guarantee such independence to SIEC, whose powers to make its own rules or otherwise regulate its own procedure or confer powers or impose duties on any officer or authority for the purpose of discharging its functions are subject to the approval of the Governor.<sup>21</sup> To further limit the independence of the SIEC from the Governor, the INEC cannot even confer powers or impose duties on any officer of SIEC *except with the approval of the Governor of the State.*<sup>22</sup> This provision renders academic, the provision of the constitution that the SIEC should render such advice as it may consider necessary to the Independent National Electoral Commission on the compilation of the register of voters in so far as that register is applicable to local government elections in the State. If the approval of the Governor must be sought and obtained, before such advice or complementary role can be played by SIEC, the independence of SIEC in this respect is hampered.

However, the constitution enabled the National Assembly to make laws that would regulate elections to Local Government Area Councils. Such laws shall override any law made by the state Houses of Assembly in that regard if the latter is contrary to the one made by the National Assembly.<sup>23</sup> In exercise of that power, the Electoral Act provides:<sup>24</sup>

---

<sup>18</sup> Constitution of the Federal Republic of Nigeria 1999 (as amended) third schedule pt II, Item para 4.

<sup>19</sup> *ibid* third Schedule, Item F, para 15 (First Alteration Act) 2010]

<sup>20</sup> Electoral Act 2022, s 2.

<sup>21</sup> *ibid* s 204(1)

<sup>22</sup> *ibid* s 160(2).

<sup>23</sup> *ibid* paras 11 and 12 of pt II, Second Schedule.

<sup>24</sup> Electoral Act 2020, s 150(1).

*[T]he procedure regulating elections conducted by the Commission to Area Councils in the Federal Capital territory under this Act shall be the same and apply with equal force as the procedure regulating elections conducted to Local Government Areas by any State Commission.*

The Electoral Act created an *alter ego* status for the SIEC as a representative institution of INEC while conducting Local Government elections. It provided that:

- *For the purpose of subsection (1), a State Commission shall be deemed to have and exercise the powers of the Commission in respect of the procedure regulating elections to Area Councils under this Act.*<sup>25</sup>
- *Any election to a Local Government Area that is conducted by a State Commission in violation of subsection (1) shall be invalid.*<sup>26</sup>
- *An official of a State Commission who contravenes the provision of subsection (1) commits an offence and shall be subject to prosecution as if he were an official of the Commission who committed the same offence under the Act.*<sup>27</sup>

#### 5.0. *Tenure of Elected Local Government Officers.*

Unlike the other elected officers, the Constitution did not provide for a tenure for elected local government officers neither did it make a similar provision in consequence of defection to another party. The constitution rather domiciled the legislative powers for their existence, establishment, composition, structure, finance and functions in the State Houses of Assembly.<sup>28</sup> However a term of four years can be deduced from the *obiter dictum* of the Supreme Court in the case of *Governor of Ekiti State and ors v. Prince Sanmi Olubunmo & 13 ors*<sup>29</sup> where the Supreme Court held that:

*Since general elections are held every four years to elect the President, Governors and members of the National and State Legislatures, there is no justifiable reason, except where a state of emergency has been declared, for a State Governor to dissolve a Local Government Council and appoint a caretaker council in its place. Persons elected for a fixed term of years can only be removed from office if found to be in breach of the rules governing their offices or for infamous conduct.*

#### 6.0. *Conclusion.*

This paper has made a case for full recognition of the importance of the local government administration. The constitutional backing in section 7 of the constitution guaranteeing a democratically elected government council should be the hanger to anchor all subsidiary laws, rules and Guidelines for elections to this important tier of government.

The impact of democratic dividends is most felt at the local government levels. It should therefore not be assumed that their existence is important only as appendages to the state Governors who historically have operated as emperors that are indispensable. In many developed economies, particularly in parliamentary democracies like the United Kingdom,

<sup>25</sup> *ibid* s 150(2).

<sup>26</sup> *ibid* 150(3).

<sup>27</sup> *ibid* 150(4).

<sup>28</sup> *ibid* s 8.

<sup>29</sup> (2016) LCN/4408(SC).

states and governors do not exist to the extent that the counties (equivalent of our local government and area councils) are the centre of development.

The recent Supreme Court judgment affirming the autonomy of Local Government Councils in Nigeria has several significant implications for the governance structure in the country. In *A.G. Federation v A.G Abia and 35 others*<sup>30</sup> the Supreme Court *inter alia* made the following far reaching declarations:

1. by the combined effects of sections 1(1), (2) and (3), 4(7), 5(2)(a) and (b) and 3(c), 7(1) and (3) and 14(1), 2(a)(c) and (4), the Governors and State Houses of Assembly are obliged to ensure democratic governance at the Local Government Areas
2. The Governors and the Houses of Assembly cannot lawfully dissolve Local Government Councils. Such dissolutions are unconstitutionally, null and void
3. Such dissolution amounts to a gross misconduct, thus making it a ground for impeachment
4. The Federal government is not under obligation under section 162(5) and (6) of the Constitution to pay/allocate funds standing to the credit of a Local Government Area to a State that fails to put in place a democratically elected Local Government Council.
5. Dissolution of a local government council disentitles a State access to revenue allocation and operation of a joint account as provided in section 162(3), (5)-(8) of the 1999 Constitution
6. States do not have unbridled and unrestricted discretion to operate the “State Joint Local Government Account” to the disadvantage of the democratically elected Local Government Council
7. States are merely trustees of the Local Government Councils to the amount standing to the credit of the Local Government Councils
8. An injunction restraining the States from using the funds released from the Federation Account for the benefit of the Local Government Council when there is no democratically elected Local Government Officials.

These Declarations and injunction can foster the real essence of decentralisation which is the major attribute of fiscal federalism and local government autonomy. They will also ensure that the Local Government Councils have the authority and independence to manage their jurisdictions effectively. This can lead to more responsive and accountable local governance. It will promote Service Delivery with the Local Government Councils prioritising the needs of the people in their immediate environment on the issues of healthcare, education, infrastructure, and sanitation at the grassroots level.

It will also reduce the pressure on state governments and the absolute reliance on the bottlenecks associated therewith. The Local Government Councils will now be in a better position to harness their local resources and abilities thereby throwing up local leaders trusted and well known to the people.

---

<sup>30</sup> SC/CV/343/2024 unreported

Accountability and transparency are better applied in smaller doses. Citizens will more easily hold their local leaders accountable. Over time, people will become attuned to the culture of holding leaders accountable and this will trickle up through the states to the Federal level.

Finally, the judgment in *AG Federation v AG Abia* of 11<sup>th</sup> July 2024 conclusively settled the constitutional impasse of the local government autonomy and authoritatively affirms that **the existence of democratically elected local government councils in the States is not an option but an injunction.**