

A COMPARATIVE ANALYSIS OF THE LOCAL GOVERNMENT SYSTEMS IN NIGERIA AND GHANA TOWARDS ENHANCING THEIR EFFECTIVENESS

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Abstract

This paper encapsulates a comparative analysis of the local government systems in Nigeria and Ghana geared towards the effectiveness and betterment of both systems. The study showed that the local government systems in Nigeria and Ghana share a lot of similarities and differences in terms of their evolution, functions, political and administrative structures, organs, finances, reforms and challenges such as inadequate funding, lack of autonomy and corruption. Modern local governments in Nigeria and Ghana evolved during the colonial epoch when the British government established the colonial government called native authorities in both countries. The native authorities were later reformed (just like subsequent local government structures) to have the current system of local government operating in these countries herewith. The study amongst others, recommended adequate funding for local governments as well as political, administrative and financial autonomy to enable them deliver their responsibilities to the people thereby making them more effective.

Introduction

The purpose of government is to protect lives, liberty and properties as well as to provide necessary utilities for the populace (Clark, 2015). Governance at the local level plays a crucial role in ensuring the effectiveness and provision of public goods to vast rural population. Agba, Akwara and Idu (2013) opined that the creation of local government anywhere in the world stems from the need to provide efficient services and facilitate development at the grassroots. Driven by this orientation, the political systems of Nigeria and Ghana, though different in several aspects, guaranteed the existence of local government councils. Nigeria is a federal republic of 36 states with three tiers of government namely; federal, state and local governments. Conversely, Ghana is a constitutional republic with two levels of government- national and local governments. It is a unitary state with ten (10) administrative units or regions, each headed by a regional minister appointed by the president (clgf.org.uk/Ghana).

Modern local government systems began in Nigeria and Ghana during the British colonial period. The colonial local government was known as native authorities. Its responsibility was to maintain law and order and to help Britain penetrate or exploit her West African colonies including Nigeria and Ghana. The native authorities were highly centralized hence, excluded the emerging educated elite. It was from this group that agitations for reformations of the authorities emanated and with time these reforms changed the face of the local government system in the post-colonial states of Nigeria and Ghana to what we now have today as local government in both countries.

It is the aim of this paper to compare the local government systems in the aforementioned countries in order to establish their similarities and differences in terms of their evolution, functions, political cum administrative structure, revenue, finances, reforms and challenges.

The Concept of Local Government

Local government has been variously defined. However, it is generally conceived as a form of public administration which, in a majority of context, exists as the lowest tier of administration in a governmental system (Chukwuemeka, Ikechuckwu, Onouha, and Ndubuisi, 2014). Olisa (1990) sees it as a unit of government below central regional or state levels established by law to exercise political authority through a representative council within defined geographical area. Similarly, the 1976 local government reform (Nigeria) defines it as government at the local level exercised through representative council established by law to exercise specific powers within defined areas. Local governments operate at the grass root levels, within a defined geographical area and are a unit of government in both federalism and Unitarianism as practiced in Nigeria and Ghana respectively (Ogogo, 2004).

According to Akindele (1990), local government is defined as:

An essential instrument of National and State government for the performance of certain basic services which could best be administered locally on the intimate knowledge of the needs, conditions and peculiarities of the areas concerned. As local government unites people in a defined area in a common organization whose functions are mutually complimentary to those of the central government and in the interest of the local residents for the satisfaction of common community needs. As government, it is the means by which the common problems and needs of a community consisting a country are economically and effectively catered for, so local government is the means by which a local community satisfies jointly its common problem and needs which would have been difficult by individual.

Furthermore, according to the Federal Government of Nigeria Guideline on the Local Government Reform (1976), local government is defined as:

Government at the local level exercised through representative councils established by law to exercise specific powers, within defined areas. These powers should give the council substantial control over local affairs (including staffing) and institutional and to determine and implement projects so as to complement the activities of the 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 local needs and conditions are maximized.

Local Administration

Local administration refers to the administration of locality by a body which is not responsible to the local people but to those who appointed them to govern the locality (Okoli, 2005). Usually, the officers of the body are appointed by the central government and they also act as the representatives of the central government. The officers are given different titles such as residents, the district officers etc. The example of this type of local government administration is the prefectoral system in France and the District Assemblies in Ghana. Ibim (2001) and Emeka (2004) noted that the major differences between local government and local administration lies on where responsibilities lies, the mode of selection of candidates for the local government-whether election or appointment and who makes the selection. When the responsibility of choosing those who constitute the local government, that is, the officials rests on the state or central government, and not the people, then, it is no more a local government but local administration and vice versa. In Ghana, the political and administrative head of local government known as District Chief Executive including 30% of the members of the District Assemblies are appointed by the president (Ferrazzi, 2006). The District Chief Executive is also a representative of the central government at the local level. As a result, this paper classified local government in Ghana as glorified local administration; this is unlike the democratically elected local government council in most Nigerian states; where the local administration called local government caretaker committee is not in charge of the council.

Comparative Analysis of Local Government in Nigeria and Ghana:

Local government systems in Nigeria and Ghana share a lot in terms of similarities and contradistinctions. Such similarities and differences are obvious when one compare local government systems in both countries using the following criteria:

Evolution

The evolutionary trends of modern local government in Nigeria and Ghana share similar dimensions. The evolution of local government (like civil service) in both countries could be traceable to the advent of British colonialism, at the turn of the 19th century. Ishiaki (2005), Obi and Obikeze (2003) amongst others opined that the colonial period marks the beginning of modern local government in Nigeria. As noted in Abdulhamind and Chima (2015), the development of Nigeria's local government system can be traced to the Native Authority Ordinance of 1916, which was passed by the British colonial government ostensibly to leverage the existing traditional administrative systems in the different regions of the area now known as Nigeria. The ordinance was the first legal framework to operationalise a system of indirect rule (Ikeanyibe, 2009). The system was highly centralized, hence excluded the emerging educated elite. It was from this group that agitations for reformation of native authorities emanated. Thus, from 1950-1966, the structure of local government changed. This epoch therefore marked the regionalization of local government in Nigeria. In the Eastern Region, the structure of local government was a three tier county, district and local council based at the community levels. In the Western Region, it was like the Eastern-division, district and local council. In Lagos, there was a city council which was under the jurisdiction of the federal government. In the Northern Region, the native authority was in consonance with the traditional political system of the Hausa/Fulani Emirates; yet the system was reformed under the Native Authority Law 1984. However, it was not until during the military government of Murtala/Obasanjo (1975-1979) that local government through the 1976 local government reform was recognized as the third tier of government, the reform also introduced a uniform system of local government throughout Nigeria. The 1999 constitution of the Federal Republic of Nigeria consolidated upon the 1976 reforms and retained the single tier cum democratically elected local government council currently operating in the country.

Similarly, the former President of Ghana, Jerry John Rawlings (1996) equally observed that the earliest attempt at local government administration in Ghana started during the colonial era with the establishment of the native authorities which were centered on the chiefs or some unit of local royalty. Their main interest was to assist the British colonial government, with their limited involvement in local administration to administer law and order. The municipal ordinance of 1859 established municipalities in the coastal towns of Gold coast. In 1943, a new ordinance set up elected town councils for Accra Kumasi, Sekondi- Takoradi and cape coast. In 1953, the municipal council ordinance was passed. This was followed after the independence, by the local government Act 196, Act 54. Currently, the multi-tier local government structure in Ghana is enshrined in the 1992 constitution and the local government Act 1993 Article (462).

Table 1: The Development of Nigerian Local Government Structure

Federal/Central Government	1976-1979	1979-1981	1981-1983	1984-1987	1988-1991	1992-1996	1997-2001
Federal Government	1	1	1	1	1	1	1
State Governments	19	21	21	21	30	36	36
Local Governments, (inclusive of six Area Councils in Abuja)	301	301	684	301	499	589	774

Source: Ekpe, Ekpe and Daniel (2013)

Functions

The functions of local government in Nigeria and Ghana are spelt out in their respective constitutions. Although, the functions of local government council in Nigeria is wider in scope as compared to that of Ghana. The functions of local government in Ghana centers around the development school of thought which stipulated that local government exist mainly to develop the local level through the mobilization of available resources at the disposal of the council. Conversely that of Nigeria cuts-across (i.e encompasses) the democratic participatory, efficient service delivery and even the development school. For instance, the 1992 constitution of the Republic of Ghana Article 240, charged the local government authorities (metropolitan, Municipal and District Assemblies-MMDAS) to plan, initiate, coordinate manage and execute polices in respect of all matters affecting the people within their areas. In view of this mandate, the local government Act 1993, Act 462 defines the functions for the MMDAS as follows:

1. To exercises political and administrative authority in the district, provide guidance, give direction to and supervise the other administrative authorities in the district.
2. To perform deliberative, legislative and executive functions.
3. To be responsible for the overall development of the district and shall ensure the preparation of:
 - i. Development plans of the district
 - ii. The annual and medium term budget of the district related to its development plans.
4. To formulate and execute plans, programmes and strategies for the effective mobilization of the resources necessary for the overall development of the district etc. yet, while all the aforementioned functions are equally enunciated in the 1976 local government Regions and fourth schedule of the 1999 constitution of the Federal Republic of Nigeria (as amended) the reform went further to identify the role of local government as responsible for facilitating the exercise of democratic self-government close to the local level and encouraging initiative and leadership potential. So also, section 7(1) of the 1999 constitution provides for the establishment of a democratically elected local government to foster grass root democracy. The fourth schedule of the same constitution equally

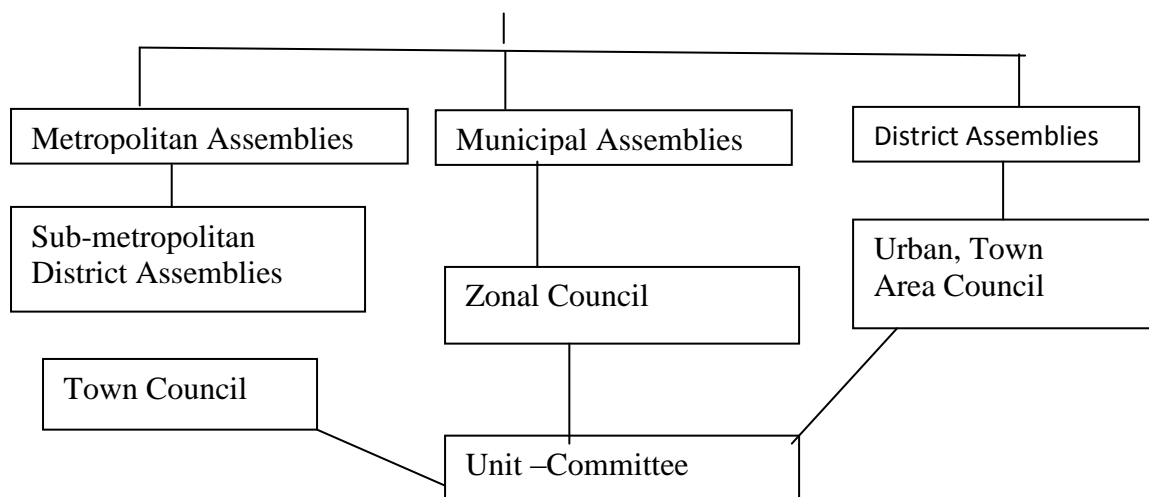
charged local government to provide and maintain health services, designate roads, streets, number houses etc.

Political and Administrative Structures

The political and administrative structures of local government in Nigeria and Ghana are at variance but the organs of local government councils in both countries are similar. The constitution of the Republic of Ghana prohibits party politics at the local government level (Ferrazzi; 2006). Article 248 (1) of the constitution states that “a candidate seeking election to a district assembly or any lower local government unit shall present himself to the electorate as an individual, and shall not use any symbol associated with any political party. Moreover, Article 248 (2) added that political party shall not endorse, sponsor, offer a platform to or in any way campaign for or against a candidate seeking election to a district assembly or lower local government unit”. Conversely, section 7 (1) of the 1999 constitution guarantee the existence of democratically elected local government council. Candidates seeking election into any elective position in the legislative and executive arms of the council do so only on the platforms of political parties in Nigeria. Thus, party politics is allowed at the local government level in Nigeria.

Again, local government elections are held once every four years in Ghana and expectedly, once every 3 years in Nigeria. This implies that, in Ghana, the tenure of office of both appointed and elected council officials such as the District Chief Executive and the elected members (which are the equivalent of local government chairman and elected councillors in Nigeria) is four years and Maximum of two terms, while it is 3 years and maximum of two terms in Nigeria. The District Chief Executive who constitutionally is responsible for the day to day performance of the executive and administrative functions of the district assembly is not elected but appointed by the president. He is also a representative of the central government at the district level. This indicates that local government in Ghana can be classified as glorified local administration. On the other hand, the Local Government Chairman in Nigeria (except the Caretaker Committee Chairman) is not appointed by the president or governor but elected directly by the people of the local government. Although, the election of the presiding member of the District Assembly (DA) is elected by the Assembly from its members; the election required a two-third majority; this is synonymous to the election of the leader of legislative arm (elected councilors) of local government in Nigeria; who also presides over its meetings. Thus, all things being equal, one can say that Nigeria practice local government administration and not local administration as it is in Ghana. Ghana’s local government structure is made up of Regional Coordinating Councils, four tier and three municipal/ district, system, it is diagrammatized as thus.

Table 2. Structure of Ghana's local government system
 Regional Coordinating Council



Source: Kwadwo (2012)

The assemblies are the highest units of local government, there are three types, six metropolitan, 56 municipal and 154 District Assemblies. These are also sub-district political and administrative structures which are subordinate bodies of the assemblies. These include sub-metropolitan district, urban, town, zonal and area councils and unit committee. Again traditional rulers are accorded prominent roles in Ghanaian local government system. Nine percent of assembly seat are reserved for traditional rulers and there are also seats reserved in the RCCS. This is synonymous to the diffused local government structure of Nigeria before 1976.

However, since 1976, Nigeria local government structure is made up of a uniform system and multipurpose single tier local government. Traditional rulers are given advisory role and not direct participation in the local government affairs. Constitutionally, there are 774 local government areas or councils in Nigeria as compared to the 216 local governments in Ghana. Like Nigeria, the local government in Ghana exercise only legislative and executive powers with the exception of judicial powers. The constitution of Republic of Ghana Article 24 (3) provides that D.A shall exercise legislative and executive powers. Article 251 (1) mandates the establishment of an executive committee of a D.A that shall be responsible for the performance of executive and administrative function of the DA.

The local government Act 1993 Article 10 (2) equally states that a DA shall exercise deliberative, legislative and executive function; the members of which include; DCE, elected members, non-voting members of parliament in the district, and 30% appointees made by the president. Concomitantly, the local government structure in Nigeria vested executive powers in the chairman, vice chairman, supervisors or supervisory councilors appointed by the chairman, as well as the structure of the local government bureaucracy. The legislative functions are meant to be performed by representing the wards which make up the local government area (Boris, 2015).

Local governments in Nigeria and Ghana have similar external regulatory bodies. For example, the Ministry of Local Government and Rural Development (MLGRD) is responsible for monitoring the effectiveness of local government and the decentralization process etc in Ghana; just as the Ministry of Local Government is responsible for supervising the functions and activities of political office holders in the local government council etc. in Nigeria. Also Ghana has a Local Government Service Council responsible for ensuring the effective administration and management of local government in the country; just as Nigeria has Local Government Service Commission empowers to employ, deploy, promote and discipline senior local government staff (Nyewusira, 2011).

Revenue and Finances

The patterns of financing local government in Nigeria and Ghana are the same; although the quota due local government in both countries from national revenue differs or varies. Both systems generate revenue from external and internal sources. The external sources of local government revenue in Nigeria and Ghana include; statutory allocation, grants-in aid, specialized funding sources, funds from development partners and district common funds. Simultaneously, the district assemblies/ local government are responsible for the setting and collecting of local revenue from internal sources such as rates, and fees, rents, fines, and licenses, investment and income from commercial activities and loans (with minister of finances approval) etc.

In another related instance, local government in these countries both have specialized joint accounts. Article 252 (1) of the constitution of Ghana establishes a Common Fund known as District Assemblies Common Fund. Article (2) added that Parliament (central government) shall annually make provision for the allocation of the less than 10 percent of the total revenues of Ghana to the district assemblies for development. Article (3) further states that the money accruing to the District Assemblies in the common fund shall be distributed among all the District Assemblies on the basis of a formula approved by parliament. The District Assemblies Common Fund Administrator according to article (4) is appointed by the president with approval of the parliament.

Similarly, section 162 (6) of the 1999 Constitution of Nigeria states that each state shall maintain a special account to be called state joint local government account (SJLGA) into which shall be paid all allocation to the local government councils of the state from the federation account and from the government of the state. Furthermore, section 7 (6A and B), and section (62, subsection 8 conferred the legislative power over the distribution of public funds as it relates to local governments especially on the Joint Account Allocation Committees (JAAC); although on such formula as may be prescribed by the House of Assembly of the state. The Commissioner for Finance, and Auditor General (appointed by governor) are the chairman and vice chairman of JAAC. But unlike Ghana where local council receives a minimum of 10% of national revenue, the local governments in Nigeria receives 20% of national revenue and 10% of internally generated revenue of its parent state. However, Studies show that local governments in both countries are underfunded. They also

lack financial autonomy and their finances are diverted by the operators of the Common Fund and SJLGA respectively.

Reforms

According to the Ghanaian Ministry of Local Government and Rural Development (1996), before and after independence, various commissions and reforms committees were appointed at various times to enquire in the administration of local government of the country. In spite of the far reaching nature of the recommendations, most of which were accepted, attempts at decentralization could not materialize until 1974. The local government administration Act 1971 article 359 which introduced decentralization was modified and implemented through the 1974 local government administration (Amendment) Decree 1974, NRCD 258. The 1974 local government structure sought to create one common monolithic structure of district council to which was assigned the responsibilities of the totality of government at the local level. Currently, local government is enshrined in the constitution as is decentralization but the main relevant legislation on local government is the local government Act 1993 (Article 462). The Ghanaian government is under taking a review of local government which include a commitment to introduce direct election of metropolitan, municipal and District Chief Executive (MMDCES) and fiscal decentralization by 2019.

Similarly, since the pre-and post independence era, Nigeria has had series of local government reforms. This include the Eastern Region ordinance of 1950, the 1976 local government reforms, the 1984 dasuki reform, Bagangida reform (1987-1991) and the 2003 local government reforms. However, of all these reforms, the 1976 local government reforms remain the watershed in the annals of the historical evolution of local government in Nigeria. The reform recognized local government as a separate tier of government, introduced uniform local government system and granted financial and functional autonomy to local government administration in Nigeria. The 1976 reforms were modified and enshrined in the 1999 constitution but the latter abolished the hitherto autonomy enjoyed by the councils by empowering the state government to make laws for the composition, function, structure and finance of the democratically elected councils.

Effectiveness in the local government systems of Nigeria and Ghana

According to Garcia-Sanchez, Cuadrado-Ballesteros and Frias-Aceituno (2013), effectiveness in governance refers to whether the public administration does well what it is supposed to do, whether people in these entities work hard and well. As further seen in World Bank Group (n.d), government effectiveness captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies. However, local governments in Nigeria and Ghana have not quite been effective as noted by the former president of Ghana Jerry Rawlings, Okoli (2005), Ajieh (2014), Mishack (2011) and Kwame (2000); the factors responsible for the ineffectiveness of the systems include:

1. Encroachment by the central or federal government on the rights and responsibilities of the weaker local government bodies because the areas and limits of responsibilities existing between the two had not been clearly defined. This is what is termed undue political interference of the federal and state government in the affairs of local council.
2. Corruption on the part of local government administrators.
3. Lack of political, administrative, and fiscal autonomy.
4. Inability to generate enough revenue.
5. Poor funding by the federal and state governments.
6. Irregular staff training.
7. Brain drain as bright and competent staff exist the councils due to poor condition of service.

To enhance the effectiveness of local government system of Nigeria and Ghana, the suggestions of Eboh and Diejomaoh (2010), Ibok (2014), Amaechi (2012), Adeyemi (2013), Ekpo (2008), Abutudu (2011) Agba, Akwara and Idu (2013) are worth considering. They include:

1. Reforms are needed to increase the fiscal and spending autonomy of local governments and minimize the interference and control of state governments.
2. Undue interference of the state governors and federal government should be eliminated to allow the council heads to govern and manage their natural resources using appropriate planning standards; opportunity to design appropriate policies, programmes and project suited to peculiar areas; preservation of cultural heritage of communities; and effectively delivery of democratic dividends to the grassroots.
3. Curtailing Corrupt Practice in Local Government Administration by ensuring all financial transaction of the council must be audited and publicized to stem corruption and embezzlement in the local government systems.
4. Adequate Financial Allocation to the Local Governments: Lower levels of government must have legal authority to raising needy revenue to support its expenditure requirements. Thus, the fiscal relationship between the center and lower - levels of government must be clearly worked out on the basis of equality, fairness and justice (Ekpo, 2008). Local governments should have direct and unfettered access to the statutory allocations from the Federation account and their share of the internally generated revenue.
5. Capacity Building – Institutional and Human Resources for local councils to take advantage of modern tools of local governance that are being developed world wide. This must combine the political and administrative cadre of the councils (Abutudu, 2011). Building institutional and system capacity that produces the human capital that is committed to the principles of good governance briefly summarized as transparency, accountability, honesty, foresightedness, equity, justice, prudent management of public funds, strong leadership inspired by vision and direction that is beneficial to the masses (Agba, Akwara and Idu, 2013).

Conclusion

Based on studies and findings carried out, it is noted that local governments in Nigeria and Ghana share a lot of similarities and differences in terms of their evolution, functions, political cum administrative structures, organs, financing, reforms and challenges. In the same vein, the political systems of these countries differ in many aspects. Nigeria is a federal republic of 36 states with three tiers of government namely: federal, state and local government. While Ghana is a constitutional republic of 10 regions and two-tiers of government national and local. Yet the political system of both countries guaranteed the existence of local government at the grassroots level. But the disturbing reality is that, local governments in Nigeria and Ghana have failed in their responsibility to transform their localities and provide efficient services to the people due to issue of funds, autonomy and corruption etc. Therefore, there is the need for restructuring and reformation of local government in Nigeria and Ghana, they should also be adequately funded, and granted political, administrative and financial autonomy to enable them deliver their responsibilities to the people. There should also be capacity building for local governments in these countries to take advantage of modern tools of local governance (E-governance) to facilitate governance at the local level.

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