

**Effects of Caretaker Committee on Achievement of True Democratic in the Administration of Local Government Councils in Oyo State**

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**Abstract**

*This study assessed the activities of caretaker committee in the administration of Local Government Council in Oyo State. Survey research design was employed through collection of data. The sample consists of all Local Government Councils in Oyo zone which are Oyo East, Oyo West, Atiba and Afijio local governments. The instrument used were questionnaire titled "Effects of Caretaker Committee on Achievement of True Democratic Administration in Local Government Councils in Oyo State (ECCALGC) and a self-developed structured questionnaire for data collection with a reliability coefficient of 0.92. The questionnaire consists of (20) items with hypotheses tested at 0.05 significance level. The data collected were analyzed using correlational statistical tool. The findings revealed that there is no correlation between caretaker chairman and elected chairman of Local Government in Oyo State. This research therefore, revealed that true*

*democratic administration cannot be realized where caretaker chairman is been appointed to direct the affairs of local government administration. Suggestions and recommendations were given on how to run local government administration not only in Oyo state but the whole country in general.*

**Keywords:** *Local Government, Caretaker and Caretaker Committee.*

## **Introduction**

The concept of Local Government involves a philosophical commitment of democratic participation in the governing process at the grassroots' levels. This implies legal and administrative decentralization of authority; power and personnel by a higher level of a government to a community with a will of its own performing specific functions as within the wider national framework. The local government system is a governmental system that is practiced by every democratic state of the world under various contextual names such as; Municipals, District or Village, developmental centres, counties or local departments. They are non sovereign communities with subordinate status below the National government. The underlying motives according to Ananti, Onyekoele and Madubueze (2015) as cited in Oviasuyi and Lawrence (2017), is that, there are targeted efforts to ensuring that the remote villages and towns get what is due to them.

Local Government is a public organization authorized to decide and administer a limited range of public policies within relatively small territory which is a sub-division of a regional or national government (Encyclopedia of Social Sciences). Bello and Uga (2004) while quoting the international Union of Local Authorities (IULA) defined the local government as "That level of government with constitutionality, defined rights and duties to regulate and manage public affairs which are constitutionally defined for the exclusive interest of the local population". These rights and duties shall be exercised by individuals that are freely

elected or appointed with the full participation of the elected body. Chukwuemeka and Uche (2005) defined the Local Government as political subdivisions of state, which has legal existence under the law and is run by elected representative of the local people, with substantial autonomy in administrative and financial affairs.

Local Government is the third tier of government that is closest to the people and therefore responsible for serving the political material needs of the people and communities at a specific area. It is therefore made up of elected or selected members but ideally; it should be composed of elected members. A local government is a government at the grassroots level of administration meant for meeting peculiar grassroots needs of the people (Agagu, 1977). It is defined as that tier of government closest to the people, which are vested with certain powers to exercise control over the affairs of people in its domain (Lawal, 2000). In short, it is a political sub-division of a nation, constituted by law and has a great deal of control over local affairs and this is unlike local administration that is based on the principle of selection of the people and does not have Legal back- up. The Local government in Nigeria is an indispensable tier of government in the Nigerian Federal system. It is deeply rooted in the law of the land and derives its powers from the constitution. Section 7(1) of the constitution of the Federal Republic of Nigeria states that the system of local government by a democratically elected local government council under this constitution is guaranteed. The 1976 Local Government Reform among other landmark changes unified the Local Government system in Nigeria, and the 1979 constitution made local Governments third tier of government and provided for a system of local government by democratically elected councils. From the above, it is clear that the local government is backed by law and administratively should have a democratically elected representatives of the people who are

charged with the responsibility of moving the government towards attaining sustainable growth for the State and National development but more recently, elected local government councils have been dissolved and replaced with Transition Committees or Caretaker Committees appointed single-handedly by governors of their respective states.

On the other hand, caretaker committee has been seen as a government that rules on a temporary basis, due to the loss of election or a pending transition of power. Caretaker government may be put in place when a government in a parliamentary system is defeated in a motion of no confidence or in the case when the house to which the government is responsible is dissolved to be in place for an interim period until an election is held and a new government is formed. It is a person or group that temporarily performs the duties of an office. Oviasuyi and Lawrence (2017) see Caretaker committee as selected people chosen to run local government areas. It has been observed that the action has no inputs from the rural population. In local government administration, the use of Caretaker committees is seen as an avenue where the state government solely or together with his party guidelines handpicks few individuals viewed as loyalists to the party to run the affairs of local government areas. This is because local government caretaker committee is an interim seal of local government until a formal election is conducted.

Caretaker committee system of administration has no place in the constitution of the Federal Republic of Nigeria. Afe (2015) said the institution of an amorphous system called caretaker committees in place of democratically elected local government councils is alien to the 1999 constitution of Federal Republic of Nigeria. Its practice is dated as far back as the Nigeria's second Republic. Ogunna (1996) in Ananti, Oyekwelu and Madubueze (2015) as cited in Oviasuyi and Lawrence (2017) that during the Second Republic in all the states of the Federation, local

governments were run by caretaker committee system consisting of party loyalists appointed by state governors. Since after its first practice in the second Republic, the idea of managing local governments with the caretaker committees has been on the increase in Nigeria. This idea of caretakership re-surfaced in the Fourth Republics notably from the year 2000 and has continued to be increasingly practiced. Okafor and Orjinta (2013) asserted that in constitutional Democracy and Caretaker Committee in Nigerian Local Government System that “Between 2003-2013, out of the 36 states, 25 states have their local government administered by Caretaker Committees. This view was buttressed by Ojo and Ihemeije (2014) “that as at 2014, the Nigerian democratic system have nosedived (fall in value), this is so because for the past five (5) years, 27 states in Nigeria have not conducted local government elections. This continued trend of Caretakership in LGAs is ultra-vire and totally illegal. The practice of this trend is based upon the premise that it allows the governors of the state to have direct control of the local governments thereby eroding all forms of authority due to LGAs. The primary aim according to him is for the Committees to work towards delivering their local government votes to the ruling party at any point in time, thereby disenfranchising the people.

### **Reasons for Caretakers Committee in the Administration of Local Government in Nigeria**

Many reasons account for the appointment of caretaker committees in the administration of local government areas in Nigeria but some of these reasons are highlight as follows:

**(I) The Nigeria Constitution:** One the main reasons that account for the appointment of caretaker committee in the administration of local government areas in Nigeria is the unconstitutionality of the Nigerian constitution. Oviasuyi and

Lawrence (2017) noted that the inconclusiveness of some aspect of the laws specifically as it concerns local government authorities as it ends any form of autonomy, self rule or determination of developmental issues from the rural populace. In line with the above, Ananti, Oyekwelu and Madubueze (2015) stated that the increase in the practice of care-takers is as a result of the lacuna created by the 1999 constitution as amended as it did not specify the term of local government elected councils.

**(2) Corruption:** Caretaker Committees were not elected but they are merely appointed cronies or party loyalist by the governors to create illegal opportunity for the Governors or party chieftains to directly confound developmental projects for self without recourse to the wants, needs and aspirations of the rural populace. Corruption in LGAs have been legalized specifically with the trend of Caronetaker Committees who act as willing agents, leeway and subtle routes for state governors to perpetuate, both financial and electoral corruption. The state/local government joint account has turned to a dam where state governors drain local government allocated funds that could have been used for developmental purposes (Oku, Emeka and Onakalu, 2015).

**(3) Godfatherism/Incumbency Factor:** Individualistic attributes of greed and fear of becoming irrelevant is another factor leading to the appointment of Caretakers committee in the local government system in Nigeria .The Nigerian politicians will always want to be referred to as the power house, in the process consolidate power by all means. lyoha and Oviasuyi (2015) buttressed that Nigerians have been deprived of the constitutional right to freedom of association as no Nigerian politician in power have the right to employ instrument of power in order to perpetuate their stay in power or office.

**(4) Settlement of Political Cronies:** Another reason for the appointment of Caretaker Committee in LGAs by state governors in Nigeria, is to enable them empower individuals who fought hard for their elections as governors. Caretakers system of administration is also an attempt to bring into governance through the back door, acolytes and sycophants of the governor who sings his praises on a daily basis (National Mirror, March 25, 2013).

**(5) The Fear of Opposition Political Parties:** The fear of opposition political parties creates room for the use of Caretakers committee in LGAs. The governors are aware that winning elections at the grass root level is dependent to a large extent on who is at the helm of affairs at the LGAs. As noted by Ojo and Ihemeje (2014), the entire Nigerian electoral process is riddled with fraud and malpractices. Therefore, the fear of losing elections to the opposition political parties make the governors to appoint their loyalist as Caretaker Committee Chairmen who in turn coordinate the affairs of the council(s) in their favor especially during elections.

It is pertinent to note here that the constitution which made it clear the inclusion of local government as the third tier of government at the grassroots which is independent of other tiers of government. The same constitution empowers the State House of Assembly to make laws for the local government and to organize local government elections. This is indirectly placing the activities of the local government in the hands of state government and runs foul to the autonomy granted.

#### **Effects of Caretaker Committees on Local Government Administration in Oyo State**

It has been discovered that the major financial means of Local Government had been strangled by state governors and this has left the councils with no funds to provide and maintain

infrastructural facilities in their areas of jurisdiction, settle contractors and most worrisome pay workers salaries. Also, it has been observed that local government autonomy rather than being a reality is more like a myth because of the use of Caretaker committees. Ojo (2009) cited in (Coker and Adams, 2012) noted that there are three separate standards to local autonomy, the amount of responsibility devolved, the size and elasticity of resources assigned and the degree of discretion conferred. The question is to what extent have these standards been observed since Nigeria's democratic dispensation? Local governments have enormous responsibilities as regards the transformation of the councils, these includes: the mobilization of local resources, promoting social and economic improvement, development as well as national integration. In additions, local governments are expected to carry out regional policies with respect to agriculture and help to develop selected industries thereby helping to ameliorate unemployment (Obinna, 1998 as cited in Coker and Adams, 2012 and Oviasuyi and Lawrence, 2017).

More so, the issue of caretaker committees has become a worrisome development all over the country. Despite the widespread use of this system, the constitution does not recognize the place of caretaker committees in the administration of local governments. The situation in Oyo state is quite pathetic in the last eight (8) years; the state has not deemed it necessary to conduct election to enthrone democratically elected chairmen to administer executive functions on Local Government Councils. The state governors have willfully by-pass or circumvented the constitution by installation of caretaker chairmen pending the conduct of local government elections which in many cases are never conducted. Some governors have been in office for almost eight years without holding local governments' elections. Their excuses are lack of money to hold the elections; unconstitutional amendment of the local government law; litigation in the court in

order to delay the elections. The system of caretaker committees is quite convenient to state governors who appoint their cronies to run the local governments without having to go through elections. They also often withhold the funds meant for these councils while the caretaker committees govern them. These appointed officials are powerless to lodge any complaint when this happens.

Also, it has been noted that the last council election in Oyo State which was in form of selection conducted in December 15, 2007 by Governor Alao Akala who sacked the local government chairmen produced by his predecessor, Alh. Rashidi Ladoja on May 24, 2007. Wale Akinselure (2017), said since the inception of Governor Ajimobi in 2011, he had continued to run the local government system with appointed caretaker chairmen, the situation was attributed to protracted litigations instituted by members of the Oyo State Independent Electoral Commission (OYSIEC) in 2007, challenging the dissolution of the electoral commission constituted by Senator Rashidi Ladoja by Governor Alao Akala. Litigation was also instituted against Governor Ajimobi in 2017 by the so- called Baales and other chiefs in Oyo land as a result of the 35 local development council areas (LCDAS) newly created in the state and this also affected the date of Local Government Council election fixed for July 2017. Despite the sanctity and importance of this level of government, it was most disheartening to see that the APC led administration in Oyo state deemed it fit not to conduct local government elections until the eve of her departure.

In addition, the 1999 constitution of Federal Republic of Nigeria states that the local government system must be democratic, but most state governors adhere to this provision in the breach. This definitely is an aberration of the constitution and gross misconduct by the state governors. The governors having sworn on an oath to protect the constitution have put themselves in the position of custodians of shame; this oath must therefore be

religiously kept without any deviation. Appointment of caretaker chairmen is a direct violation of section (2) & 8 of the constitution (FRN 1999) as such official have not been elected by the prescribed procedure of the constitution. It is therefore clear from the foregoing provisions and combined interpretation of the installation of caretaker chairmen is a gross violation of the constitution which erring governors that continue to rejoice in such illegality need to be impeached (Akinpelu, 2015).

The establishment of local government caretaker committees in any of the 774 local governments council by Governors in Nigeria has become a normal tradition despite the fact that the House of Representative on May 17, 2012 declared it as illegal, the constitution of local governments caretaker committees in 25 of the 36 states of the Federation (Daily Trust Thursday May 10, 2018). Some of the affected states had selected or elected their people into councils, few states are preparing to conduct council polls while some of these culpable states have not shown readiness to comply with the directive of the House. Jega (2006) clearly emphasized that one of the basic constitutive elements of democratic governance is that of representation. Representation according to him is the people freedom to choose by them who represents or governs them in leadership through a free and fair election. Under the caretaker committee leadership, the case is usually a dominance of the leading political party. In fact between 2011 and May 2018, it was not on record at anytime that the governor appointed a member of an opposition party in Oyo Central as a member of caretaker committee. To such leading political party, the party is growing stronger and gaining the political popularity and acceptance at the grassroots, while throwing away the reason of basic dividends of democratic governance by not allowing a participatory leadership where a minority will have a say. It has been discovered that caretaker chairman only pay allegiance to caucuses and had weaken the

democratic structures at local level in Oyo State from 2011 till May 2018.

Ogbonaya, Omoju and Udefuna (2012) emphasized that the weakness of democratic institution is a challenge to democratic governance. They referred to institutions as the executive, the legislature and the judiciary. In fact, this institution can only function effective in an elected democratic structure particularly at the local government level which the caretaker committees do not enhance or encourage. There is no institution to serve as checks and balances because the caretaker committees are not elected and the members therefore see it as an avenue/opportunity to loot the local government and enrich themselves with the public funds. The caretaker chairman at the local councils in Oyo State lamented that they only receive salary at the end of the month which is paid only when the Governor approves it. They also lamented that a lot of money was paid to their political godfathers before picking them. Even some substantial amount was paid to the governor and the state house of assembly after they had been selected for the screening exercise or for the renewal of the office after three-three months.

Between May 2015 and 2018, Local governments in Oyo State had not witnessed any serious economic development. The caretaker committees are at the mercy of the state government. They are being treated as underdog in most cases. For instance, Oyo Central which consists of local governments like Akinyele, Atiba, Afijio, Oyo East and Oyo west etc. had never witnessed any project done by the local government between this period under review and that is applicable to the rest of local governments in the state. This is so because they merely represent the presence of the governor at the local government level, they are seen as “figureheads” due to the fact that whatever happens, their godfather would come to their rescue. It has been discovered that between the periods under review, the local governments do not

have any social contract with the masses. Evidence is that no meaningful project was executed and commissioned by any caretaker care regime. This negates egalitarian society which is one of the constitutive elements of democratic governance according to Jega (2006). To him, it encourages constitutional regime, fairness, economic and social justice as he expressed egalitarian society as a constructive element of democratic governance. In short, it is saddening to see the moribund state of the local government facilities which had been left unattended to with the most of the facilities left in a deplorable state and of course when local government is left in such a condition, it culminates to poverty at grassroot exhibited in the deplorable state of the councils primary health care centres, non functional water supply in major parts of the local government, deplorable state of the local government roads network and so on.

### **Statement of the Problem**

The 1999 constitution of Nigeria recognized local Governments as the third tier of government and provided for systems of local government by democratically elected councils. The ideas is to bring government close to the people; ensure effective service delivery to the rural areas; revive and strengthen activities that would bring democratic dividends closer to the grassroots but today, it has been seen as a best place reserved by the State governors for their political loyalists without going through elections and for better later returns. The in-effective local government administration could no longer speed up the pace of development, no political and financial independence. The citizenry, through their elected chairmen and councilors at Local Government Councils cannot reflect their choices on issues. Therefore, this study assessed the effects and activities of Caretaker Committee on Local Government Administration in Oyo State.

### **Purpose of the Study**

The purpose of this study is to assess the effects of caretaker committees in the achievement of True Democracy in the Administration of Local Government Councils in Oyo State. Specifically, the purpose of the study includes:

- i. To investigate the relationship between the caretaker committees and elected chairmen in the administration of Local Government Councils in Oyo State.
- ii. To investigate the varieties of effects and development in the Local Government Councils in Oyo State during period of study.
- iii. To investigate the relationship between electioneering of caretaker committees and Local government chairmen in the local government areas of Oyo State.
- iv. To investigate between constitutional right given to caretaker administrators and Local Government Council chairmen in Nigeria.

### **Research Hypothesis**

1. There is no significant relationship between caretaker administrators and elected administrators in Local Government Councils.
2. There is no significant relationship between electioneering of caretaker administrators and Local Government Chairman.
3. There is no significant relationship between constitutional right given to caretaker administrators and Local Government Chairman.

### **Methodology**

This study is to assess the effects and activities of caretaker committee in the administration of Local Government Council in Oyo State. The study employed survey research design. The population for the study consists of all staff in the department of

Local Government and local community development areas in Oyo East, Oyo West, Afijio, Atiba and Akinyele Local Governments of Oyo State. One hundred members of local government staff were selected as sample using random sampling techniques. The instrument used was titled Assessment of Effects of Caretaker Committees in Local Government Administration in Oyo State (AECCALG). A self-developed structured questionnaire that was validated by two chief lecturers in the department of curriculum and Instruction, School of Education Federal College of Education (FCE) special, Oyo was used for data collection with a reliability coefficient of 0.92 after pre-test on some local government staff that is not part of the sample. This instrument consists of (20) items. The hypotheses were tested at 0.05 significance level and the data collected from the staff were collated and analyzed using co-relational statistical tool.

### **Analysis of Results**

**Hypothesis I.** There is no significant relationship between caretaker administrators and elected Local Government Chairman.

**Table I:** Shown the correlations between caretaker administrators and elected LG Chairman

Control Variables			LG	Caretaker	Elected Chairman
-none- <sup>a</sup>	Local. Government Administration	Correlation	1.000	.008	.050
		Significance (2-tailed)	.	.932	.616
		Df	0	101	101
	Caretaker	Correlation	.008	1.000	.460
		Significance (2-tailed)	.932	.	.000
		Df	101	0	101
		Correlation	.050	.460	1.000
		Significance (2-tailed)	.616	.000	.
		Df	101	101	0
		Correlation	1.000	.035	
		Significance (2-tailed)	.	.724	
		Df	0	100	
	Elected Chairman	Correlation	.035	1.000	
		Significance (2-tailed)	.724	.	
		Df	100	0	

In table 1 the correlation of caretaker administrator is .050 while that of elected chairman is.460 this shown that there is no correlation in the administration of caretaker and elected LG chairman in Oyo State

Hypothesis 2. There is no significant relationship between electioneering of caretaker administrators and Local Government Chairman.

**Table 2: Shown** the correlations between electioneering of Caretaker Administrators and Local Government Chairman

Control Variables			LG	Caretaker	Elected Chairman
-none- <sup>a</sup>	Caretaker Electioneering	Correlation	1.000	-.013	.050
		Significance (2-tailed)	.	.895	.616
		Df	0	101	101
	LG Chairman	Correlation	-.013	1.000	.654
		Significance (2-tailed)	.895	.	.000
		Df	101	0	101
		Correlation	.050	.654	1.000
		Significance (2-tailed)	.616	.000	.
		Df	101	101	0
		Correlation	1.000	.026	
		Significance (2-tailed)	.	.797	
		Df	0	100	
	LG Chairman	Correlation	.026	1.000	
		Significance (2-tailed)	.797	.	
		Df	100	0	

In table 2 the correlation of caretaker administrator is .064 while that of elected chairman is.654his shown that there is no correlation in the administration of caretaker and elected LG chairman in Oyo State.

In table 2 the correlation of caretaker administrator is .064 while that of elected chairman is .654. This shows that there is no correlation in the administration of caretaker and elected LG chairman in Oyo State.

**Hypothesis 3:** There is no significant relationship between constitutional right given to caretaker administrators and Local Government Chairman.

**Table 3: Shown the correlation between constitutional right given to caretaker Administrator and Local Government Chairman.**

Control Variables	LG	Caretaker	Elected Chairman
Local. Government Administration	1.000	.025	.050
-none-a			
Significance (2-tailed)		.799	.616
Df	0	101	101
Caretaker	.025	1.000	-.005
Significance (2-tailed)	.799		
Df	101	0	101
Correlation	.050	.005	
Significance (2-tailed)	.616	.958	.958
Df	101	101	0
Elected Chairman	1.000	.026	
Significance (2-tailed)		.798	
Df	0	100	
	.026	1.000	
Significance (2-tailed)	.798		
Df	100	0	

In table 3 the correlation of caretaker administrator is .958 while that of elected chairman is .026. This shows that there is no correlation in the constitutional right given to caretaker and elected LG chairman in Oyo State.

### **Discussion of Findings**

In table 1 the correlation of caretaker administrator is .050 while that of elected chairman is .460, this shows that there is no correlation in the administration of caretaker and elected LG chairman in Oyo State. This was corroborated by Afe (2015) that the institution of an amorphous system called caretaker committees in place of democratically elected local government councils is alien to the 1999 constitution of Federal Republic of Nigeria. In table 2 the correlation of caretaker administrator is .064 while that of elected chairman is .654. This shows that there is no correlation in the administration of caretaker and elected LG chairman in Oyo State. As it was stated by Oviasuyi and Lawrence (2017) that, through the institution of caretaker committees to run the affairs of local government areas, it has been observed that the action has no inputs from the rural population. Caretaker committees in local government is an avenue where that state government solely or together with his party guidelines handpicks few individuals viewed as loyalists to him or his party appointing them to run the affairs of local government areas.

In table 3 the correlation of caretaker administrator is .958 while that of elected chairman is .026 this shown that there is no correlation in the constitutional right given to caretaker and elected LG chairman in Oyo State. Ogunna (1996) ) in Ananti, Oyekwelu and Madubueze (2015) as cited in Oviasuyi and Lawrence (2017) that during the Second Republic in all the states of the Federation, local governments were run by caretaker committee system consisting of party loyalists appointed by state governors. Since after its first practice in the second Republic, the idea of managing local governments with the caretaker committees has been on the increase in Nigeria.

In short, in the findings it was discovered that there is no correlation between caretaker chairmen and elected chairmen of Local Government in Oyo State as it was shown in table 1-3. True democracy cannot be realized where caretaker chairman is been appointed to man the affairs of local government. To corroborate what Ogbonaya, Omoju and Udefuna (2012) said that the weakness of democratic institution is a challenge to democratic governance. In fact, this institution can only function effectively in an elected democratic structure particularly at the local government level where the caretaker committees do not enhance or encourage. However, if we are to achieve true democracy in Oyo State, Local Government should be composed of elected members.

### **Conclusion**

It has been established in this study, that one of the reasons for the establishment of local government council was to give the grassroots the sense of belonging in any system of governance. Constitutionally, the local government councils were designed to offer direct dividend of democracy to community dwellers particularly, in rural areas. In as much as the constitution provides Joint Account of local government with state government and with

the supervisory role of the State governors, it is not to make local government an appendage to state where governors and State House of Assembly will cow councils as if it is their personal belongings.

The state governors should therefore ensure that local councils operate with constitutional compliance by conducting election at the expiration of the administration of current executive chairmen. The new executive chairmen shall be elected and sworn in through electoral process. This will give the grassroots and indeed the electorates the sense of belonging and participation in the transitional transformation of local councils. It will give the people the right to demand for accountability and transparency, from the duly elected chairmen and councilors of local government councils. They in return would also perform their constitutional obligations to the people they represent without fear or favor.

Finally, the grossly abused of the constitutional rights of the people to vote and be voted for at the grassroots levels would be abolished, if the local government councils are democratized.

### **Recommendations**

To free local government councils from the control of state governors in Nigeria, the following steps are essential:

- a. The House of Representatives should initiate far- reaching changes and bills that will end the persistent of caretaker administration at local government level once and for all.
- b. Funds from the Federation Account should be denied that is, withheld by Federal government to any state that does not democratize its local government councils as required by the constitution of Federal Republic of Nigeria.
- c. The State Houses of Assembly should promulgate laws and declaring caretaker committees for local government councils

- and local development council areas illegal and unconstitutional.
- d. The State House of Assembly should be empowered by the National Assembly through the constitutional means to impeach with immediate effect any state governor who intends to take over the administration of local councils by appointing the sole administrator or caretaker committees.
  - e. The National Assembly should review the electoral acts to enable INEC National Body to conduct local council elections instead of being conducted by state INEC commission.
  - f. Local government councils should be given autonomy to operate politically and financially.

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