Staff Discipline in the Nigerian Local Government System

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Abstract: This article examines the negative work attitudes prevalent in the Nigerian Local Government system. The article notes that the Local Government system in Nigeria is characterized by some disciplinary problems ranging from fraud/corruption/embezzlement, absenteeism/lateness/indolence and insubordination to the problem of ghost workers syndrome amongst others. The article contends that what has encouraged some Local Government staff’s failure to treat corruption and other related disciplinary problems with the seriousness it deserves. The article suggested that Government as a matter of policy should apply some very dynamic approaches that can lead to more effective disciplinary control in the Local Government system. The paper concluded that if the inhibiting factors mentioned above can be minimized if not totally eliminated or eradicated, local government in Nigeria will go a long way towards the satisfactory performance of maintaining discipline.

Keywords: Discipline, Disciplinary Measures, Local Government Administration in Nigeria, Punishment, Staff Discipline

Preamble

Order is the first law in heaven, the first law in creation and the first and most important law of life. But there is no order without discipline. Consider the orderliness of heavenly bodies; the regularity of the sun, the night succeeding the day, the movement of the planetary bodies around the sun without bumping against one another, the millions and millions of stars each maintaining its accustomed position relative to others. Think of the orderliness and coordination of our body parts, the work of the brain, the heart, the stomach and the limbs. Suppose your hands refuse to take orders from the brain. There will be chaos and confusion. The orderliness in heaven and in life is the handwork of God. God would want us to maintain order on earth through discipline. When you come into a person's house, into a school, or in an office and there is no order; everywhere are heaps of dirt, seats, desks, and tables are disorderly and haphazardly scattered about everywhere; children are running into and out of rooms raising hell and the adults are unconcerned about the riotous nature of their surroundings, you will conclude that there is no discipline in the place. Disorderly life, disorderly surroundings and disorderly approach to issues and problems indicate a lack of discipline. The disorderliness on the roads in Nigerian major cities is a clear manifestation of indiscipline among the people. [1]

I. Introduction

Often, manpower is taken as the most important factor in organizations because through it, the other resources are harnessed in order to meet the demands of the society. Whether or not one shares this thought, it is an incontrovertible fact that manpower is not only an important resource, it is very costly and valuable. [2] Once labour has been hired the next most important thing to do is to maintain and utilize it as adequately as possible in order to achieve set organizational objectives, thus, orderly behaviour is an essential attribute of labour or manpower resources of an organization, and this can only be achieved through adequate staff discipline in organizations.

Discipline is submission to rules. Discipline is training to act in accordance with rules and instructions. It involves control of behaviour in such a way as to achieve personal, group or organizational goals. It is behaviour and order maintained through training and control. [3] Maintaining a desirable work force implies that a good measure of discipline which is one of the main functions of administration has to be in force. Discipline therefore is a management control tool which no organization takes for granted especially in the work place. Just as reward and incentive packages exist for good and exceptional performances, there also exist penalties and punishments for misdemeanors and poor performances in organizations. Disciplinary actions come as a result of workers' misconducts. Apart from using positive factors and rewards to motivate workers, disciplinary actions like punishments, withholding of reward and other coercive devices are also used against employees who break the rules or get involved in acts of disobedience. Threatening a worker with disciplinary actions could motivate him to work harder. This is because most individuals have in their motivational patterns needs to either avoid pain or to try as much as possible to achieve financial and or job security. [4]
A thorough diagnosis of the Nigerian society will showcase a country riddled with indiscipline. The issue of indiscipline which includes corruption by way of misappropriation of funds and other misconducts, which can come in form of immoral behaviour with fellow staff and other dishonest conduct are vexed questions in the Nigerian society, when they exist in organizations, automatically leads to inefficiency and low productivity. In Nigerian various civilian and military governments have tried to bring about discipline in the public service as a whole. For instance late General Murtala Muhammed, the then Head of state, carried out a purge in 1975 which flushed out about ten thousand public servants. In the second Republic (1979-1983), President Shehu Shagari tried to propagate his Ethical Re-orientation Programme to see if public servants could change their attitude to work (Nigerian civil servants looked at work as government work which is nobody's own). Also Generals Buhari and Idiagbon's regime (1983-1985), came up with what they called ‘War against Indiscipline' (WAI) aimed at bringing about discipline in the public service.[5] The aims of these efforts were to give a new and positive look to Nigerians with regards to national consciousness which will enhance unity and progress. In spite of these efforts by governments investigations revealed that the standard of discipline in our public institutions is still very low.

It is observed that the rate of misconduct is in the increase, a clear example is the Nigerian local government system. Nigerian Local Government System is saddled with a lot of disciplinary problems which if not taking care of will lead to a total breakdown of the system in Nigeria. Such problems range from absenteeism, payment of salary to ghost workers, employees on full time studies and full time employment in our local government systems, fraud, forgery and stealing/embezzlement. The major problem is Government’s failure to treat corruption and other related disciplinary problems with the seriousness it deserves. This has encouraged some Local Government staff's into corrupt practices. People caught in fraud, forgery and stealing/embezzlement are either posted out from the Local Government where the offence was committed to other Local Governments or posted to the Headquarters, this encourages others to plan and execute such plans. When the officer is posted out from the reach of money, the money so embezzled will be recovered gradually from his monthly emolument.

In spite of disciplinary rules and regulations and disciplinary actions meted to workers who commit offences, many members of staff of the Local Government still commit acts of misconduct on regular basis. Again, despite the generosity of positive motivators such as fringe benefits and welfare schemes for instance, the recent increase in minimum wage, the problem of indiscipline in the Local Government system is yet to be averted.

II. Literature Review

2.1 Local Government Administration in Nigeria

Local Government Administration in Nigeria can be described to be as old as colonial administration. During the colonial era, local administrations were in the hands on officers appointed by the colonial administrators, the crown office, its later successors and then the regional governors. These appointees were called the district officers, “D.Os”, for short, who were vested with legislative, executive and sometimes judicial functions. Each region had its own local government system quite different from the others. Expectedly, there were as many systems of local government administration as there were regions and later states, which were subject to the whims and caprices of the system, their legal existence and operations. [6]

In 1976 the Federal Government felt the necessity to reform local government administration. The result of the reforms may be aptly described as the inception of modern local government administration in Nigeria. The highlights of the 1976 local government reform were that it created a unified and uniform system of local government throughout Nigeria for the first time. The reform made deliberate efforts to set up a local government structure aimed at bringing government nearer to the people, thereby giving them the opportunity to participate in the administration of their areas. [7]

The 1976 Local Government Reforms and the subsequent entrenchment of the vital provisions of these reforms in the 1979 Nigerian Constitution, set the stage for increased concern, about and awareness of local government administration in Nigeria. One major fall-out of these reforms was the emergence of local government as the third tier of government in Nigeria alongside the state and the federal governments. The subsequent Local Government Decrees of 1989,1990,1991 and 1992, were all intended to operationalise the third tier status of local government in Nigeria. This, in effect, means the granting of a high degree of autonomy to the local governments. Decree No. 15: Local Government (Basic Constitutional and Transitional Provisions) Decree 1989 was intended to grapple with this problem of local government autonomy. [8]

Unfortunately, in spite of the elaborate provisions of this decree, and the determination of the federal government to give teeth to local government administration, ideals did not approximate reality, autonomy for local governments became a mirage, a shifting sand. The intentions of the Decree, the ambitions of the local governments and the needs of the state governments did not converge. In fact, the divergence became so great that it became a chasm in need of a bridge. Subsequent amendments embodied in Decrees No. 25 of 1990, No. 3
of 1991 and No. 41 of 1991 etc. were all intended to build this bridge. Again, all efforts in this direction did not yield much dividend. Local Government Administration in Nigeria, continues till date to be bugged down by numerous external and internal problems. [9]

2.2 Staff Discipline

Staff discipline is a management function in organizations. It is an indispensable tool of control applied in organizations in order to achieve organizational objectives. The importance of this fact lies in the fact that wherever people are working there must be problems of adjustment which demands that discipline is necessary in order to be able to correct deviations from laid down rules and procedures in organizations. For organizations to move forward there must be total elimination of insubordination to leaders, drunkenness and gross immorality among employees while in office premises, there must also be reasonable level of adherence to rules and regulations which are necessary towards maintaining punctuality and regularity to work, [10]

In developing disciplinary policy in organizations in any disciplinary process, disciplinary policy and action must be shaped with labour and management in agreement. The reason for this is that, the worker of today is better than the worker of yesterday. The existence, of trade unionism gives today's worker more or better privileges and opportunities than the worker of yesterday. [11] Today’s worker has become free, asking for his rights, seeking and demanding job satisfaction and contribution to decision-making process, thus, becoming needful for management and workers to recognize this fast growing perception of the worker.

Threats, punishment and withholding of reward (which are forms of disciplinary action) as required motivators have been classified in motivational scheme. These actions also act as de motivators, although most individuals have somewhere in their motivational pattern needs to avoid pain or to achieve financial or job security such motivations are short lived. Their action is geared towards lower than higher level needs and as soon as such needs are satisfied they fade away. Discipline may make and individual do the basic (minimum best). He will just do his work to avoid being punished. Threats and punishment can only be effective where the worker under such condition is fairly a self confident individual who remains effective under threat. He must feel that no other better alternatives to working for his organization are available at that time. His motivational pattern is like that of a psychologically primitive individual who requires no external force to push him to consider higher level accomplishments. Furthermore they may precipitate to a retaliatory or defensive behavior, thus, threats and punishments are poor motivators. [12]

For the public service which includes the Local Government system to perform effectively, there is need not only to motivate workers but also to instill a very high degree of discipline, thus, reward and punishment go hand in hand. [13]

Discipline and some of its procedures had been criticized in the past. The massive purge in the public service which affected all categories of Civil Servants in 1975 had a devastating effect on the efficiency of the public service. It led to a feeling of insecurity and self-confidence which led to over caution and cynicism on the part of the workers. Fear of a purge is de-motivating even if the thing feared does not materialize. Purge is not the best way of purifying the public service or ensuring discipline and productivity. Large scale purge of the civil servants should as far as possible be avoided because whatever the original intention, they tend to degenerate into witch-hunting and destabilizes the government itself and society at large. However, it will be better to incorporate in the civil service rules, whatever conditions of service or rules of behaviour that are considered desirable and try to enforce them like other rules and conditions. [14]

2.3 Types of Discipline

Discipline can either be self-imposed or imposed by others, Self-imposed discipline is spontaneous, self-generated or internally generated. It manifests in systematic mode of behaviour, obedience to rules as a result of inner conviction of their advantages, conformity to norms, rules, regulations and orderliness without external imposition. Discipline is self-imposed if conforming to rules and standards is accepted by the individual as either constitutive of what is to be achieved or a means of doing something that he wants to do or thinks desirable, for example, when a child loves music and sets about learning to play or sing, subjecting himself to the discipline of music or when he becomes fascinated by the habits of animals and sets to work to understand how and why animals behave the way they do; or when a person submits to regular exercise in order to keep healthy or when a person diets in order to reduce weight. [15]

These cases of self-discipline are considered to be desirable in organizations because the submission to rules springs from the individual's own decisions in which some kind of autonomy or freedom is displayed. Some people believe that freedom is the ability to control one's passions, impulses, drives and desires. In other words, freedom is self-control. It is obvious that somebody who cannot stop himself from taking alcohol or smoking or taking hard drugs such as cocaine or marijuana or having sex is not free and cannot be autonomous or reliable.
Self-discipline contrasts with discipline imposed by others through sanctions, punishment or threats of punishment. Externally imposed discipline springs from other people's desires such as parents, organizations, peer groups and the church. It should be noted that the person's desires and decisions are involved in these too. An employee may want to avoid the disapproval of management in certain things in the organization or punishment and so obeys rules. Offering staff's prizes at the end of every year based on their performances during the year is also an externally imposed form of discipline just as much as coercing them by threats of punishment. In externally imposed discipline, the person is made to do what others want by manipulating him and playing on his desires and fears.

Self-discipline is a preferred form of discipline. It is closely connected with autonomy (self-direction). Integrity and courage are involved in self-discipline and they are virtues which have to be exercised in the face of counter inclinations. [16]

2.4 Discipline and Punishment

There is a difference between discipline and punishment. Punishment is not discipline but only one of the many ways or methods of maintaining discipline. Staff discipline is submission to rules and regulations in organizations to achieve organizational objectives. Without discipline, it will be difficult to achieve organizational objectives. A person is disciplined when he learns to act in accordance with rules that determine proper conduct.

Punishment is a means mostly used in maintaining staff discipline. It has three logically necessary conditions which are not present in discipline.
1. It must involve the intentional infliction of pain or some kind of unpleasantness
2. This must be inflicted on an offender as a consequence of a breach of rules.
3. It must be inflicted by someone in authority. [17]

Discipline is not necessarily painful neither does it necessarily emanate from someone in authority. However, a breach of rules is a breach of discipline. Punishment is meant to reform the offender and it is also true that many people have been reformed through punishment. The basic reason for punishment in the work place and the society is not as a reformatory but as a deterrent measure. Penalties are attached to the breach of rules in order to uphold the rule of law, to deter possible offenders as well as to deal with actual ones. A punishment system is working when the threat of penalties is sufficient to deter possible offenders.

For punishment to be useful and effective, it has to be both unpleasant and predictable. Punishment is a deterrent when it is predictable. Every staff ought to have known that fighting in an office environment attracts serious unpleasant consequences. Management must be just and impartial in the administration of punishment. Management must respect the humanity of the offender and show understanding of his problems. He must nurture good interpersonal relationships with the workers who should recognize the use of punishment as a necessity for maintaining discipline.

2.5 Principles that Guides Disciplinary Measures

Disciplinary measures should be set out in writing and made known to all employees. Generally, staff rules /regulations and employment contracts provide this.

- Categories of employees to whom a particular measure is applicable to, should be indicated.
- Since there are various several categories of disciplinary actions, employees should be made aware of the offences that merit a heavier penalty.
- At the time of employment, employees should know the standard of performance they will be expected to achieve and the rules to which they will be expected to conform.
- Before applying disciplinary measures, an employee should be told what was wrong with his performance or what rule or rules he has broken, until he has had an opportunity to state his case, the application of disciplinary measures should not be carried out.
- Except in the case of gross misconduct, an employee should be given an opportunity to improve before disciplinary action is taken.
- Employee contracts or staff rules and regulations should indicate which authority can involve a particular penalty.
- Employee contracts or staff rules and regulations should also indicate the responsibilities of all concerned in disciplinary matters for example does the union have a role to play, what of the Local Government Chairman?, The secretary to the Local Government, HOD Personnel etc.
2.6 Types of Disciplinary Measures

Disciplinary actions range from warning or reprimand, reassignment, suspension without pay, demotion and dismissal. They are established, published and enforced in order to make employees conscious of them thereby forestalling the need to use them in future.

i. Warning or Reprimand

The least severe punishment, warning and reprimand often proves sufficient to correct a situation that calls for disciplinary action whether written or oral reprimand should be enough to correct most minor problems especially where adequate communication or mutual respect exist between employees and supervisors for proper handling, with due regard for person’s self esteem, the change should be made against a specific employee’s behavior and not his person. If tactfully handled, warning or reprimand can send an employee back to his work with a renewed perspective and a new feeling of loyalty towards the service. When a reprimand is made for the purpose of correcting an employee’s action and not to embarrass or intimidate the employee, it will likely accomplish its purpose.

ii. Reassignment

To many people reassignment may not be a punishment. When it is used as one, the intent must be made clear to the individual involved. Reassignment must be to a less desirable location of duty or to a less attractive job. The former is most applicable to field workers especially policemen. Reassignment is not always effective and it is not a constructive way to make placements. Assignments should be based on fitness not on unsuitability. Reassignment may even harm the organization by hampering the operation of the organization. Nevertheless, it may be the proper thing to do when an employee’s abilities are not adequately utilized or are misused in a particular position or location. Reassignment to a different job or to the same job in another location is taught to be in the best interest of the organization. If reassignment is made merely as a disciplinary action to humiliate the employee without necessary aiming at correcting the behavior, the situation will not be beneficial to the organization, as it will turn the employee more hostile to it. Before a reassignment is made, careful attention should be given to the employee potential for fulfilling the requirement of a new position for the overall welfare of the organization, otherwise, reassignment will simply result in the dumping of an incompetent employee on another unit of the organization.

iii. Suspension

When an employee is suspended after committing an act so serious enough to warrant an investigation which may not be successfully carried out while the employee is carrying out his normal duties, the employee’s appointment is suspended until the end of the investigation. Suspension is necessary only when the presence of the suspended offender would hinder an investigation. Normally, the employee is paid during this period of suspension. However, if the investigation finds him guilty, he may be subjected to further suspension but this time without pay for a period of up to 30 days before issuing the punishment.

iv. Demotion

This is an act of reducing the grade, rank, authority or responsibility of an employee. It carries a continued stigma and should be used with caution. When the new assignment does not make a more effective use of the individual’s capacity either reprimand and dismissal is more appropriate depending on the seriousness of the offence. Demotion is not normally used as a disciplinary measure often. It is used in a situation where an employee is promoted in error or where an employee is found incapable of performing in a position to which he has been recently appointed or promoted. When used as a disciplinary measure, it has a number of disadvantages. It acts as an ill wind which blows no good to either the employee or the organization. The employee suffers a loss in pay and consequent humiliation, which reduces his morale. Under such a circumstance, his production capacity and effectiveness will be reduced to a minimum.

v. Dismissal

When there is an evidence of gross misconduct or a breach of statutory restrictions from an employee in an organization, that employee will be dismissed. When dismissing an employee, efforts should be made to follow laid down rules of the organization otherwise the dismissal may backfire. There must be a fair reason for dismissal. Before dismissing an employee, the organization must have given the employee several warnings.
III. Data Analysis

Discipline and the Nigerian Local Government System

This section will be discussed under the following sub-themes:

- Full time student and full time worker
- Absenteeism, Lateness and Indolence
- Fraud, Bribery and Corruption
- Payment of salary to ghost workers
- Insubordination

- Full time student and full time worker

Staff’s of the local governments in Nigeria, especially those near University campuses indulge in illegal cases of taking full time employments in the local governments as well as registering for full time courses in the universities. Combining the two especially by those who are not so sound academically makes them pay lip-service to both. Many of the Heads of Departments in the local government system collude with these people especially when they are friendly or close enough, in the final analysis, their official duties suffer and in some cases, some of such workers find it difficult to cope with the demands and they end up not doing well both as students and as workers.

Moreover, some of these people manipulate their ways when they finalize their programmes and illegally smuggle their certificates into their files with greasing of the palms of the officers in charge of the files at the State Local Government Services Commission for onward journey to the pay roll section for upgrading and payment. According to the civil service rule in Nigeria, any employee who wants to further his education will apply and when his application is granted and approved, he is given a study leave with or without pay depending on the terms of the application. It is unacceptable according to the civil service rule for any staff to be a full time staff and also a full time student.

- Absenteeism, Lateness and Indolence

As a result of combining a full time course with a full time civil service Job, there is likely to be absenteeism and lateness to work. Observations have shown that other indurate attitudes to work and indolence (avoidance of activity or exertion or laziness) are rampant in the local government system in Nigeria. In Nsukka Local Government Council for instance, there are always reported cases of some junior workers sleeping with their heads on the desk and works to be done are left undone.

In Nigeria, every civil servant is expected to be in the office not later than 8.00 am, but this is not the case in the Local Government system. Some of the staff normally report to work at about 10.00 am and nothing is done about that and most times they leave the office very early before dismissal at 4 pm.[18]

- Fraud, Bribery and Corruption

The local government appears to be a citadel for corrupt officials. Chief executives of local governments often bribe their way to that position. Having attained that height, they surround themselves with their own men and then perpetuate their corrupt practices which take the form of inflated contracts, kick-backs, illegal authorization and withdrawal of public funds and even misappropriation of physical assets in local government stores to themselves. The issue of bribery and corruption is not, however, limited to the chief executives. Experience has shown that local government staff generally exploits the minutest loophole for personal enrichment. They ask for gratifications for carrying out their official functions and embezzle government funds whenever possible. All these help to run down the resources badly needed for service delivery and capital development of our local governments.[19]

There have been instances of some staff’s selling forms meant to be given free in the Local Government system in Nigeria. The case of forgery, stealing and fraud is common among staff because of the hard situation in the country today. Many can no longer live on their salary alone. Akin to the above is the case of embezzlement. Generally, government at the grassroots which policy makers designed to be self-sustaining, to check the rural-urban drift, has proved to be a very big disappointment. Most of the local government councils have failed to justify the very reason for their creation. Most times we hear of cases of treasurers or accounts officers embezzling government money, a number of cases abound.

For instance in 1993, the payment of teachers’ salaries was not able to be efficiently carried out as many chairmen were found wanting. The Nigeria Union of Teachers, NUT, embarked on a very long strike due to the failure of some local councils to pay teachers’ salaries. There were many cases of not only mismanagement, fraudulent practices, looting of treasury but also exhibited cases of outright irresponsibility. General Sani Abacha took over government in November 17, 1993 and announced that all local councils stood dissolved. Caretaker committees were put in place. The National Education Council took over payment of
teachers' salaries by deduction at revenue source. If local councils are not able to manage and pay teachers' salaries, how can they promote development at the local level?

The Kaduna South Local Government Council suspended twenty revenue collectors for “diversion of large sums of the council's internally generated revenue” according to the Local Government Caretaker Committee Chairman, Alhaji Suleiman Aliyu. [20] This diversion is common for most councils in the country. The roles played by the chairmen and council members in committing debts are questionable and the role played by civil servants with regard to the keeping of records and books of accounts is despicable. Details of contracts not properly executed and reckless abuse of cash advances abound in almost all of the local authorities. Most of the advances are not retired and officials collect new ones contrary to financial regulations. Most often, cash book balances and bank balances are not reconciled. Of course, these signify lapses in the internal control system as specified in the Financial Memorandum. This often results in non-guidance or inability of councils to be guided in its financial undertakings and most often result in their incurring huge liabilities. [21]

Printing of fake receipts is another remarkable means of embezzling government funds. Local Government staff’s in the field most times collect revenues without issuing receipts, while others issue fake receipts to the payers and the revenue so collected is not paid into the council’s coffers. Payment of salary to ghost workers

Ghost workers can be referred to as non existence employees who are falsely entered in the payroll of an organization. The ghost workers syndrome has been a menace across all tiers of government especially in the Local Government System. Corrupt officials in the Local Government system enter in the payroll fictitious names and later go behind to collect the profits of the scam.

Ghost workers had been discovered at various times in the past in the pay rolls of some Local Government Areas in Nigeria, for instance in 2014, ghost workers were discovered in Afikpo North Local Government Area of Ebonyi state [22]

Also in Sagbama Local Government Area of Bayelsa state, N10 million Naira monthly wage scam was discovered which included 29 dead persons and 72 ghost workers, who has been receiving salaries since 2003[23]


Also in Abia state in early 2014, the biometric data capturing machine used by the Abia State Government for all staff in the Local Government service, paid off as no fewer than 3,185 ghost workers with the inclusion of 1,460 ghost pensioners were discovered through the machine.[25]

- Insubordination

Insubordination is the act of willfully disobeying one’s superior. It is an employee’s blatant refusal to follow a superior’s instructions, assignments or directives with full knowledge of the consequences of the refusal. This is common in the Local Government system in Nigeria, they take undue advantage of the ignorance of the basic civil service rules, or normally from those who feel that they are very friendly and familiar with the higher officers or who are their errand boys or praise singers.

An example is in Abi Local Government Council in Cross River state, where 5 staff’s were suspended for insubordination. A statement from the chief press secretary of the Local Government Azogor Ideba said that the suspension is indefinite and with immediate effect. While the affected persons were asked to surrender all council’s property in their possessions. [26]

IV. Conclusion

Government as a matter of policy should apply some very dynamic approaches that can lead to more effective disciplinary control in the Local Government system, for instance Staff’s who are found guilty of embezzling government funds should be made to pay back immediately. In case of refusal to pay their properly should be impounded and out rightly sold to the public. People who should be responsible for handling money should be people of proven integrity with high academic and social standing to reduce the temptation of embezzlement. The local government as a point of duty should aim at very regular supervision of members of their staff, especially those in the field. This should be made a culture in the local government system. At present most of the workers in the field are supervised quarterly and in some cases annually, rarely is such rate of supervision sufficient. It is therefore, our opinion that if these inhibiting factors can be minimized if not totally eliminated or eradicated, local government in Nigeria will go a long way towards the satisfactory performance of maintaining discipline.

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