

Advances in African Economic,  
Social and Political Development

Joseph Yinka Fashagba  
Ola-Rotimi Matthew Ajayi  
Chiedo Nwankwor *Editors*

# The Nigerian National Assembly



Springer

# **Advances in African Economic, Social and Political Development**

## **Series Editors**

Diery Seck, CREPOL - Center for Research on Political Economy, Dakar, Senegal

Juliet U. Elu, Morehouse College, Atlanta, GA, USA

Yaw Nyarko, New York University, NY, USA

Africa is emerging as a rapidly growing region, still facing major challenges, but with a potential for significant progress – a transformation that necessitates vigorous efforts in research and policy thinking. This book series focuses on three intricately related key aspects of modern-day Africa: economic, social and political development. Making use of recent theoretical and empirical advances, the series aims to provide fresh answers to Africa's development challenges. All the socio-political dimensions of today's Africa are incorporated as they unfold and new policy options are presented. The series aims to provide a broad and interactive forum of science at work for policymaking and to bring together African and international researchers and experts. The series welcomes monographs and contributed volumes for an academic and professional audience, as well as tightly edited conference proceedings. Relevant topics include, but are not limited to, economic policy and trade, regional integration, labor market policies, demographic development, social issues, political economy and political systems, and environmental and energy issues.

More information about this series at <http://www.springer.com/series/11885>

Joseph Yinka Fashagba  
Ola-Rotimi Matthew Ajayi • Chiedo Nwankwor  
Editors

# The Nigerian National Assembly

 Springer

*Editors*

Joseph Yinka Fashagba  
Department of Political Science  
Federal University Lokoja  
Lokoja, Nigeria

Ola-Rotimi Matthew Ajayi  
Department of Political Science  
Federal University Lokoja  
Lokoja, Nigeria

Chiedo Nwankwor  
SAIS  
Johns Hopkins University  
Washington, DC, USA

ISSN 2198-7262                      ISSN 2198-7270 (electronic)  
Advances in African Economic, Social and Political Development  
ISBN 978-3-030-11904-1              ISBN 978-3-030-11905-8 (eBook)  
<https://doi.org/10.1007/978-3-030-11905-8>

Library of Congress Control Number: 2019935520

© Springer Nature Switzerland AG 2019

This work is subject to copyright. All rights are reserved by the Publisher, whether the whole or part of the material is concerned, specifically the rights of translation, reprinting, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors, and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, express or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

This Springer imprint is published by the registered company Springer Nature Switzerland AG  
The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

# Acknowledgements

The book is a product of the idea shared with Prof. Arthur Ebunola Davies in his office in 2014. Unfortunately, before its publication, Davies passed on in April 2018, having earlier retired from the Department of Political Science of the University of Ilorin, Nigeria, in 2017. Professor Ajayi and Dr. Fashagba are indeed indebted to the late scholar and mentor who played tremendous role in their careers, including serving as Fashagba's PhD supervisor. May his gentle soul rest in peace. The editors would like to appreciate Dr. Oladimeji Olaniyi of the Department of English and Literary Studies, Federal University Lokoja, Nigeria, for editing some of the chapters. Many thanks to Omololu Fagbadebo for his support as well. The editors are also indebted to Lorraine Klimowich and all members of the series editors of Springer Nature publisher for their support to this project. Similarly, we sincerely appreciate all our contributors for always responding to queries on their manuscripts promptly. Our thanks to our spouses, Helen and Taiwo, and children for their understanding of our absence while this project lasted. Finally, it has been a long journey from 2015 to date, but the Grace of God that never ceased kept this project afloat as evidenced by the book you are reading now. We return all glory to God for the publication.

# Contents

<b>Exploring the Nigerian Central Legislative Institution</b> .....	1
Joseph Yinka Fashagba	
<b>The Legislature and Law Making in Nigeria: Interrogating the National Assembly (1999–2018)</b> .....	15
Samuel Oni, Faith Olanrewaju, and Oluwatimilehin Deinde-Adedeji	
<b>The Trajectory of the Legislature, Lawmaking and Legislation in Nigeria</b> .....	33
Ibraheem O. Muheeb	
<b>Legislative Oversight in the Nigerian Fourth Republic</b> .....	57
Femi Omotoso and Olayide Oladeji	
<b>Constituency–Legislature Relations in Nigeria</b> .....	73
Asimiyu Olalekan Murana and Adebola Rafiu Bakare	
<b>The Nigerian House of Representatives, 1999–2016</b> .....	91
Luqman Saka and Adebola Rafiu Bakare	
<b>Senate Leadership in Nigeria’s Fourth Republic, 1999 to Date</b> .....	113
Ola-Rotimi Matthew Ajayi and Abdullahi Muawiyya	
<b>Inter-Chamber Relations in Nigeria’s Presidential System in the Fourth Republic</b> .....	125
Omololu Fagbadebo	
<b>Executive-Legislature Relations: Evidence from Nigeria’s Fourth Republic</b> .....	143
Yahaya T. Baba	

**Oiling the Legislature: An Appraisal of the Committee System in Nigeria’s National Assembly** ..... 165  
Agaptus Nwozor and John Shola Olanrewaju

**Gender Representation in Nigeria’s National Assembly Under the Fourth Republic** ..... 189  
Segun Oshewolo and Solomon Adedire



## About the Editors

**Joseph Yinka Fashagba** teaches politics and is the Head of the Department of Political Science, Federal University Lokoja, Lokoja, Kogi State, Nigeria. He was Head of the Department of Political Science and International Relations, Landmark University, Nigeria, from 2012 to 2015. He is a Specialist in legislative studies, African politics, and democratic institutions. His papers have appeared in many local and international outlets. His papers – ‘Legislative Oversight under the Nigeria’s Presidential System’ and ‘Party Switching in Nigeria’s Fourth Republic’ appeared in 2009 and 2014, respectively, in *The Journal of Legislative Studies*. He recently coedited a book titled *Africa State Governance: Subnational Politics and National Power* with Professors Carl LeVan of American University, Washington, DC, and Edward McMahan of Vermont University, Burlington. The book was published in 2015 by Palgrave Macmillan in the UK. He had previously coedited two books with Prof. Ola-Rotimi Matthew Ajayi of the Department of Political Science, Federal University Lokoja, Lokoja, Kogi State, Nigeria. Fashagba, in collaboration with LeVan, won a research grant from the National Endowment for Democracy in 2013 to carry out a study on some subnational legislatures in Africa. In 2014, the American Political Science Association also generously awarded Fashagba and LeVan a generous grant for manuscript writing and editing. He is the Convener of Round Table on Governance, Federal University Lokoja, Nigeria. Fashagba’s contact is yinkafash2005@yahoo.co.uk.

**Ola-Rotimi Matthew Ajayi** is Professor of Political Science, Federal University Lokoja, Nigeria. A multidisciplinary scholar, he obtained his BSc and MSc degrees in Political Science, PhD in History and Master of Business Administration. Professor Ajayi’s research interests include comparative politics, democratization and civil society, labour politics, political economy and international politics. He was a Fulbright Scholar in the Department of Government, University of Texas, Austin, USA. He has published extensively in peer-reviewed journals, including the *Journal of Modern African Studies*, *African Economic History*, *Indian Journal of Politics*, *Third World Quarterly* and *International Third World Studies Journal & Review*, and Palgrave Macmillan edited volumes, among others. He coedited

*Foundations of Political Science* and *Understanding Nigerian Politics and Government*, both published by the Department of Political Science and International Relations, Landmark University, Omu-Aran, Nigeria. He is a Member of several reputable national and international academic and professional associations, including the American Political Science Association (APSA) and the Nigerian Political Science Association (NPSA). He is former Vice Chancellor, Landmark University, Nigeria.

**Chiedo Nwankwor** is a Lecturer and Research Associate with the African Studies Program at the Johns Hopkins University School of Advanced International Studies, Washington, DC, USA. Her research is mainly in the areas of comparative politics of African states, women's political participation in Africa and women and gender studies. Dr. Nwankwor has published in various outlets and teaches graduate courses in Contemporary African Politics, Gender in Africa and Politics of Ethnicity and Identity in Africa.

## About the Authors

**Solomon Adedire** is a Lecturer in the Department of Political Science and International Relations, Landmark University, Nigeria. He obtained his BSc and MSc degrees in Political Science from Obafemi Awolowo University, Ile-Ife, and the University of Lagos, respectively. He is a PhD candidate at the University of KwaZulu-Natal, South Africa. His areas of interest include intergovernmental relations and public administration.

**Yahaya T. Baba** teaches Political Science at Usmanu Danfodiyo University, Sokoto, Nigeria, where he is Head of the Department of Political Science. He is a Legislative Scholar and has published in several high-impact journals.

**Adebola Rafiu Bakare, PhD** is a Lecturer in the Department of Political Science, University of Ilorin, Nigeria. He has his first and second degrees in Political Science from the University of Ilorin and the University of Ibadan, respectively, and his PhD from the University of Ilorin. His research interests cover legislative studies, elections and security studies. He is a Member of Nigerian Political Science Association (NPSA), West African Political Science Association (WAPSA), Nigerian Society of International Affairs (NSIA) and Graduate Member, Nigerian Institute of Management (Chartered). He has published in several reputable national and international journals and has contributed chapters in edited books. Dr. Bakare's published works have appeared in the *Journal of African-Centred Solutions in Peace and Security*, Institute for Peace and Security Studies, Addis Ababa University, Ethiopia, and *Studies in Politics and Society*, the Nigerian Political Science Association, among others.

**Oluwatimilehin Deinde-Adedeji** is a Faculty in the Department of Political Science and International Relations, Covenant University, Nigeria. His research interests include public-private partnership, e-government and legislative studies.

**Omololu Fagbadebo** holds a doctoral degree in Political Science from the University of KwaZulu-Natal, South Africa. He has taught Political Science at the

Obafemi Awolowo University, Ile-Ife, Nigeria, and the University of KwaZulu-Natal, South Africa. He has published academic papers in journals and books and has presented papers at conferences and workshops. His area of specialization includes comparative politics, legislative studies, governance, human security, development studies and African politics. Springer Nature published his recent work, *Perspectives on the Legislature and the Prospects of Accountability in Nigeria and South Africa*.

**Abdullahi Muawiyya** graduated from Bayero University Kano in 2010 with Second Class Upper Division (BSc) in Political Science. He earned a master's degree (MSc) in Political Science from the University of Ilorin in 2017. Currently, he is a Lecturer in the Department of Political Science, Federal University Lokoja, Nigeria.

**Asimiyu Olalekan Murana** lectures in the Department of Politics and Governance, Kwara State University, Malete. His research area is institutions of government with special interest in legislative studies, democratic governance and public administration. His papers have appeared in several local and international reputable journals.

**Ibraheem O. Muheeb** obtained his PhD from the University of Ibadan. He is a Legislative Scholar whose papers have appeared in a number of local and international outlets.

**Agaptus Nwozor, PhD** teaches in the Department of Political Science and International Relations, Landmark University, Omu-Aran, Kwara State, Nigeria. Dr. Nwozor has diverse and multidisciplinary academic interests, and his most recent articles have appeared in the *UIUYO Journal of Humanities* (2017) and *AUSTRAL: Brazilian Journal of Strategy & International Relations* (2018).

**Olayide Oladeji** lectures Political Science at Ekiti State University, Ado-Ekiti, Ekiti State, Nigeria. He is currently a Doctoral Student at the same university. He researches in federalism, governance and development issues, with special focus on indigeneity, citizenship and distributive justice in postcolonial African states, especially Nigeria. He can be reached on ooladeji@hotmail.com.

**Faith Olanrewaju** is a Doctoral Student and Faculty in the Department of Political Science and International Relations, Covenant University, Ota, Ogun State, Nigeria. Her research focuses on displacement, human rights, conflict, gender issues and security. She has published a couple of papers in reputable local and international journals.

**John Shola Olanrewaju** is a Doctoral Candidate at Kwara State University, Malete, Kwara State, Nigeria. He also teaches Political Science and International Relations at Landmark University, Omu-Aran, Kwara State, Nigeria. He has contributed

chapters in peer-reviewed books as well as published in high-impact national and international journals.

**Femi Omotoso** is Professor of Political Science at Ekiti State University, Ado Ekiti, Ekiti State, Nigeria. He bagged his PhD in Political Science from the University of Ibadan, Nigeria, in 2004. He has edited and coedited a number of books, including *Readings in Political Behaviour* (University of Ado Ekiti Press 2007); *Politics, Policies and Governance in Nigeria* (Porto-Novo Editions Sonou d’Afrique 2010) (coedited with A.A. Agagu and Ola Abegunde); and *Democratic Governance and Political Participation in Nigeria* (Spears Media Press, Denver, USA, 2016). Omotoso has written and published several journal articles within and outside Nigeria and contributed book chapters. He can be reached on femot79@yahoo.co.uk. He has also presented several academic papers in conferences in many countries of the world. He has served in various administrative positions in the university which include Head of Department; Assistant Director; Part-Time Programme Director, Consultancy Unit; and currently, Dean, Faculty of the Social Sciences.

**Samuel Oni** is Senior Lecturer in the Department of Political Science and International Relations, Covenant University, Nigeria. He obtained his bachelor’s degree from Ahmadu Bello University, Zaria, and master’s and PhD from Covenant University, Ota. He is a prolific researcher and has published in a number of reputable local and international journals. His scholastic interests are particularly in the area of legislature, governance, e-government and conflict studies.

**Segun Oshewolo** is a Doctorate Candidate and lectures in the Department of Political Science and International Relations, Landmark University, Omu-Aran, Nigeria. He has published widely in his areas of research interest which include foreign policy and diplomacy, democratization and gender studies. His recent articles appeared in *The Round Table* and *African Identities* – both Scopus-indexed journals.

**Luqman Saka, PhD** is Senior Lecturer and Head, Department of Political Science, University of Ilorin, Nigeria. He has his first and second degree in Political Science at the University of Ibadan, Nigeria, and his doctoral degree in International Studies at the Universiti Utara Malaysia (the Northern University of Malaysia). He is an alumnus of the American Political Science Association (APSA), African Fellowship Programme, 2013; the Institute of Federalism, University of Fribourg, Switzerland, 2011; and CODESRIA Governance Institute, 2007. He is a Member of the Nigerian Political Science Association (NPSA). Dr. Saka’s published works have appeared in *Regional & Federal Studies*, *African Security Review*, *Hemispheres: Studies on Culture and Societies* and *Journal of Administrative Sciences* among other outlets.

# Exploring the Nigerian Central Legislative Institution



**Joseph Yinka Fashagba**

The legislative institution in Nigeria had at different times suffered series of abrogation as a result of military intervention in politics. The legislature, as a political institution, was one of the foremost political institutions of governance established in the early days of Colonial administration in Nigeria.

In 1922, a semblance of modern government was introduced in the emerging nation state by the colonialists. The Clifford Constitution introduced in that year not only produced a constitutional government but also gave birth to the legislative council which had very limited authority (Ojo 1985). As Ojo (1985, p. xi) notes, the legislative council ‘could only legislate on certain matters for the Southern provinces while the North was ruled by proclamation’. The 1922 Council made laws for the Western and Eastern provinces of Nigeria subject to the Governor’s reserved power while the governor alone made laws for the Northern Provinces (Sanni 1992).

The need to make the legislature more relevant and powerful led to the promulgation of the Order in Council of 1946. According to Sanni (1992), the 1945 Order-in-Council gave the Legislative Council the power to make laws for the whole of Nigeria, subject to the reserved powers of the Governor. Thus, while the 1922 legislative Council exercised a limited authority, the 1946 legislature was granted more power. Nevertheless, the power vested in the 1946 legislature was still too narrow and limited.

In 1951, a new legal order, popularly referred to as the Macpherson Constitution, was promulgated. The Constitution was enacted in response to the agitations of the emerging Nigerian elites. The emerging local elites were against the previous constitutions because they saw them as colonial impositions. Not only were previous constitutions imposed but they were bereft of local contents. The people whose fates

---

J. Y. Fashagba (✉)

Department of Political Science, Federal University Lokoja, Lokoja, Nigeria

© Springer Nature Switzerland AG 2019

J. Y. Fashagba et al. (eds.), *The Nigerian National Assembly*,  
Advances in African Economic, Social and Political Development,  
[https://doi.org/10.1007/978-3-030-11905-8\\_1](https://doi.org/10.1007/978-3-030-11905-8_1)

and lives were to be shaped and determined by the constitutions were not consulted before the previous constitutions were made by the colonialists.

To accommodate the concern as well as meet the expectation of the people, the Macpherson Constitution of 1951 established regional legislative houses. Under the constitution, the regional legislatures worked with the regional executive councils comprising the Lieutenant Governors and the top government officials to administer the regions. Members of the regional assemblies were elected through Electoral College System. Each regional assembly, on the other hand, elected those to represent it in the newly introduced House of Representative at the centre Lagos (Fagbohun 2010). The Constitution marked a departure from the past, because it was not only parliamentary in context and operation but also ensured that, in addition to making the leader of the majority in the House of Assembly the leader of government business, the house became a true legislature with the leader playing important and dynamic roles in governance. The legislatures were however subordinated to the authority of the Lieutenant Governor in the regions

The introduction of a new constitution in 1954 ushered in a proper federal arrangement, comprising a central government having a federal legislature and three regional governments with each region operating distinct regional legislative assemblies. The powers of the central legislature were clearly separated from those of the regional assemblies. A bicameral arrangement was introduced in the Western and Northern regions under the new constitutional order. A two-chamber legislature became operational in 1956 in the Eastern region. This transformed the regional legislatures into a bicameral system but the unicameral system was retained at the centre. By this, apart from the houses of assembly that had been in place in the regions, a house of Chiefs was established at the regional level. This was however not replicated at the centre as only one chamber was retained (Fashagba 2009a).

In 1957, the Western and Eastern Regions became self-governed. As part of the efforts to prepare the country for independence in 1960, the bicameral arrangement was created at the centre. Under the arrangement, the Senate had fifty-two members while the House of Representatives comprised of three hundred and twenty members drawn from different parts of the federation (Osaghae 1998). The office of a Prime Minister was established. The same structure was more or less retained under the first republic Independent Constitution of 1960 and the Republican Constitution of 1963 that came later.

The bicameral system was in operation at the federal as well as the regional levels at independence in 1960. However, the Senate had forty-four members nominated from the regional assemblies under the arrangement. The House of Representatives, on the other hand, had three-hundred and twenty elected members. The Independence Constitution also retained the division of powers among the levels of government based on the exclusive and concurrent lists provided by the 1954 constitution. Consequently, while only the federal legislature had power to legislate on matters listed in the exclusive list both the central and the regional assemblies could legislate on matters listed in the concurrent list. However, the first republic legislature was weak and incapable of providing the required anchor needed to sustain

democratic governance (Lafenwa 2006). Thus, the first republic collapsed in 1966; this was less than 6 years after independence.

The legislature returned to the political scene in 1979 under a presidential system. The presidential system was adopted because the legislature was considered more viable, vibrant and vigorous under it than was<sup>1</sup> usually the case under the parliamentary system (Fashagba 2009a). Consequently, a unicameral system was adopted for the constituent states while the bicameral arrangement was established for the centre under the 1979 constitution. Although the legislature was expected to be stronger under the presidential arrangement, but many writers on the republic appeared not too impressed with the performance of the second republic legislature (1979–1983). The National Party of Nigeria (NPN) and the Nigeria People's Party (NPP) formed a legislative coalition in the period due to the inability of the ruling NPN to win the simple majority seats required to control the central legislature. Following the collapse of the coalition between the NPN and NPP in 1981, the four opposition parties in the National Assembly ganged up to frustrate the ruling party (Akinsanya 2002). The implication of the action was the inability of the legislature to shape and influence public policy and governance in general. Since a weak legislature is by nature a threat to democratic survival (Fish 2006), the second republic democratic government became so fragile and consequently collapsed in 1983, just three months into the tenure of a new legislature.

Another attempt by the military to restore democracy that was earlier on truncated in 1983 resulted only in a partial and short-lived democracy in what is popularly called the aborted 'third republic' (1991–1993). The presidential election of the dispensation was inconclusive, as the military government that implemented the transition to civil rule programme terminated the process half-way. Before the third republic was terminated, the national assembly and the state Houses of Assembly were already inaugurated. The central legislature comprising the Senate and a House of Representatives was in operation and the state assemblies working alongside the executive cabinet at the state level. Worthy of note, however, is that the legislature at different levels had severe limitation imposed on them by the central military government. The military put in place different decrees with ouster clauses meant to incapacitate the legislative institution in the transition period. This was perhaps so because the military constituted the executive organ at the centre (Davies 1996).

However, after 15 years of military rule the Nigerian Military finally dropped the reins of government on 29 May, 1999. In the new dispensation, popularly referred to as the fourth republic-1999 to date, the bicameral arrangement was adopted at the centre under the presidential system based on the 1999 constitution. In the constituent units, the unicameral arrangement was established. Indeed, apart from transforming from the parliamentary to the presidential system, the unicameral arrangement has been a major feature of representative democracy at the state level

---

<sup>1</sup>The adoption of the presidential system was significant because the collapse of the first republic was attributed to the parliamentary system which some considered unsuitable for a society that is as diverse as Nigeria.



in Nigeria since the second republic. In other words, the 1999 constitution (amended) created the National Assembly as a representative and law-making institution under the current dispensation. From independence in 1960 to date, the fourth republic has been unique. To be sure, for the first time the national assembly has operated for 20 years without interruption. In the previous republics, the national assembly did not last more than 5 years. This is unprecedented in the history of Nigeria. Also six consecutive elections have been held to elect members. Despite the evident challenges that the institution faced in the first few years of returning to the political space, the national assembly has been a key player in the democratisation of the polity as well as in stabilising the fourth republic. The amended 1999 constitution gave the national assembly some powers and functions. At this juncture, it becomes necessary to interrogate the traditional and constitutional functions of the legislature. This will be the focus of the next section.

## Functions of the Legislature

Although legislative scholars from different backgrounds and cutting across cultures in different parts of the world have argued that there exist a very wide variance in the degrees of powers and levels of influence wielded by different legislatures the world over, there is a convergence of opinion on the fact that certain roles are commonly performed by majority of the legislatures. These functions are sometimes traditional, but in most cases constitutional, because of the increasing importance and emphasis on constitutional government. The sole aim of having a constitutional government is to have a limited government; a government that has enormous power to develop and shape public policy as well as governance and maintain constitutional order but could be checked by other institutions and the people.

Consequently, certain legislative responsibilities are considered universal (Williams 2006). In a vibrant democracy, as Fish (2006) contends, the effective performance of the roles assigned to the legislature will not only strengthen democratic governance but also invigorate the vertical and horizontal accountability of the democratic political system (Barkan 2009).

Barkan (2009) in his work, 'Legislative Power in Emerging African Democracy' identified four 'core' functions performed by national parliaments. According to Barkan, the first function is that legislatures are the institutional mechanism through which societies realize representative government. Zwingina (2006, p. 285), the spokesperson of the Nigerian Senate between 1999 and 2003 avers that, 'in actual facts the role of the parliament goes beyond making laws, and so includes; representing the interests of the constituencies of the various legislators'. While legislators are selected using different methods under different electoral systems, they however represent the various constituents from where they were elected. By this, the representatives are elected to represent different constituencies with occasionally diverse and incongruent cultures and interests. This is especially the case in a heterogeneous society like Nigeria characterised by diversity in cultures, religions,

languages and ethnic groups. In Nigeria, electoral constituency delimitation may be done in such a way that groups which would not have been represented would have been given a voice through a conscious delimitation of constituencies for small or minority groups. By this, the representative will represent a narrow interest and by this may articulate a very parochial concern of the group which he or she represents. The national president, especially in a country like Nigeria, who depends on popular plurality votes to become elected, represents the diverse constituents and different languages, cultures and peoples in the state. The entire nation is the constituency of the national president. Therefore, the President must rise above narrow, parochial and sectional interest in making decision affecting the state and the governed. Thus, the legislators are responsible for advocating for their constituents, ensuring that the opinions, perspectives and value of citizens are present in the policy-making process. Representational role remains the traditional roles that the legislature performs in a representative democracy irrespective of whether it is an old or a new democracy.

The second role performed by the legislatures, as Barkan notes, is the legislative role. This role of the legislatures put the body in a position to draft, mold and pass bills emanating either from members of the assembly or from the executive into laws. While the legislatures perform this role with different levels of involvement and efficiency, the institution is however able to shape and re-shape public policy through the enactment of necessary and appropriate legislations. Orstein (1992) avers that the legislature makes laws that affect the entire nation and are presumably intended to resolve differences among groups for the good of the nation as a whole. This role is in tandem with the provision of the 1999 constitution which provides for law-making for the purpose of maintaining order, peace and good governance. As Davies (2004, p. 201) contends, 'The law-making role of the legislature ensures that government policies and programmes including those initiated in the budget, are enacted into law while other measures are given political and legal backing to solve substantive problems confronting the country'.

Apart from the representational and law-making roles of the legislatures, the institution also scrutinizes administration as well as ensures oversight of activities relating to the implementation of laws and measures passed or adopted by the legislature (Fashagba et al. 2014). Since the executive is vested with the responsibility of implementing public policy or legislation passed by the legislature, the executive is scrutinized by the assembly to ensure compliance with the content and intent of the policy framework approved by the legislature. Consequently, the legislative function does not terminate with the passage of bills. It is therefore only by monitoring the implementation process that members of the legislature can uncover any defect or deviation from the original intent and act to correct misinterpretation, misapplication or maladministration (Report of a Commonwealth Parliament Association Workshop, Nairobi, Kenya 10–14 December, 2001, p. 1; Parliamentary oversight of finance, Commonwealth Parliamentary Association, Nov. 2001). According to Barkan (2009), the legislatures exercise oversight of the executive to ensure that policies agreed upon through the passing of legislation are religiously implemented by the state. The legislature carry out this oversight responsibility on the executive

by carefully examining the request for legislative actions, investigating the administrative action of government departments and the performance and behavior of government officials (Davies 2004).

Williams (2006) notes that a parliament has four fundamental responsibilities in the exercise of the oversight of government vis:

- To debate, modify, approve or reject legislation;
- To debate, modify, approve, or reject authority for government to raise revenue through taxation and other means;
- To debate, modify, approve or reject proposed expenditure by government and;
- To hold the executive accountable for its governance of society.

However, Williams avers that these salient responsibilities of the legislature are often missed by legislators, particularly those belonging to the ruling party who often feel it is necessary or incumbent on them to support the government while those in opposition seek to oppose the government at all costs, regardless of the merits of the proposals of the government.

To hold the executive accountable, the legislature must be able to investigate into the quality of the administrative and bureaucratic networks of the federal government (Saffell 1989). The state legislatures must equally be capable of scrutinizing the state executive branch in a federal system. To be able to balance the power of the executive, the legislature must be able to exercise power of the purse. This power gives the legislature effective means to shape public policy through annual appropriation making process, levy of taxes, and it also enables the immediate representatives of the people for attaining redress of every grievance and carrying into effect just and worthwhile measures.

Barkan (2009) further identifies the fourth role of the assembly as one performed on individuals rather than on a collective basis. However, the way the role is performed, and the extent to which it is performed varies from one legislator to the other. For instance, in the new democracies, emphasis is placed on what the legislators can provide to meet the pecuniary needs of the members of the constituents. The focus may also be on providing some basic social facilities/amenities that are not available in the constituent. This is usually the case in a new democracy like Nigeria where official negligence, administrative ineptitude and bureaucratic and political corruption have eroded the capacity of the state to perform its responsibility of providing some basic facilities. The elected representatives are therefore compelled to take up the responsibility.

## **Composition of the National Assembly**

The Nigerian national assembly is made up of two chambers. The first is the Senate. This is the upper chamber, but in Nigeria, the chamber is referred to as the 'Red Chamber'. The second chamber is the House of Representatives (HoRs). This is the lower house and is called the 'Green chamber'. The red and green chamber labels

derived from the colours of the floor-rugs of the chambers. The House of Representatives contested and rejected the lower chamber label at the inception of the fourth republic in 1999. The major contention is that members of the chamber did not see themselves as inferior to those in the Senate or the Senators, hence the rejection of the label. From the provisions of the amended 1999 constitution, the two chambers have concurrent power over law-making as well as oversight, especially power of the purse. However, only the Senate is constitutionally empowered to screen and confirm executive nominees (Fashagba 2009b). The senate screens nominees of the executive to confirm their suitability for appointment into public office or otherwise. The HoRs does not play any role in the screening and confirmation of executive nominees. A nominee may be confirmed or rejected, depending on whether the Senate finds him or her suitable or unsuitable for appointment. However, the confirmation power has come under executive attack of recent. This is evidenced by the case of the Acting Chairman of the Economic and Financial Crime Commission (EFCC) whose nominated was rejected twice between 2016 and 2017. Despite the rejection of the nominee, the President did not remove him from office. Thus, without confirmation, the nominee has remained an acting chairman for over 2 years, in violation of the amended 1999 constitution. The president and his supporters have put up different arguments to justify the action. By this, the presidency sought to redefine the provisions of the constitution on the power of confirmation conferred on the Senate.

In terms of membership, the Senate is made of 109 members. Each of the thirty six states of the federation is represented by three elected senators. The senators are elected from single member district into a 4 year term. The Federal Capital Territory is represented by one elected senator. Indeed, representation in the Nigerian Senate is based on equality of state, irrespective of the landmass or population size of a state. The turnover rate of members has been very high from 1999, thereby robbing the chamber the needed institutional memory for efficiency (Fashagba 2014; Fashagba and Babatunde 2016). The House of Representatives on the other hand is made up of 360 elected members. Representation in the chamber is proportional to the relative population size of each state (Fashagba 2013).

The Nigerian Senate is headed by the Senate President and assisted by the Deputy Senate President. There are other offices like the office of the Majority and Deputy majority Leader, Majority and Deputy Majority Whip, Minority and Deputy minority Leader and majority and Minority Whips etc. The Senate President presides over the Senate and on or during any joint sitting of the two chambers. The Senate President is the Chairman of the National Assembly. The President of the Senate is elected by members from the ruling party. However, with the defection of the Senate President in 2018 from the ruling All Progressive Congress (APC) to the opposition People's Democratic Party (PDP), and the inability of the ruling APC to muster the two-thirds majority members needed to impeach or change the Senate President, the opposition took charge of the leadership of the chamber. Earlier on, the opposition PDP had produced the Deputy Senate President at the inauguration of the assembly in 2015 contrary to the expectation of the ruling party-APC. The internal cracks within the majority APC gave the leading opposition PDP the power

to strike at the appropriate time by delivering the votes to win and capture the office of the Deputy Senate President. Similarly, the House of Representatives is headed by the Speaker and assisted by the Deputy Speaker. Other important offices in the chamber include the Majority leader, majority whip, minority leader and whip (Fashagba and Babatunde 2016). Until 2014, the then ruling PDP controlled the house. However, following the defection of the then Speaker from the PDP to the newly formed opposition party-the APC, the new party took over the leadership of the House despite being a minority in the chamber. The precedent laid by the APC in 2014 therefore emboldened the defecting senate leader in 2018. Party switching has remained a major feature of the current democratic dispensation.

The two chambers of the national assembly have been carrying out the bulk of their responsibilities through the committees system. The committees have been the engine rooms of the national assembly. Through their oversight functions, waste has been averted, corruption has been exposed, officer's excesses have been checked and the public has been made aware of activities of government and its agencies. However, most of the scandals that have been reported against the national assembly have been from the activities of committees. From 1999 to date, the two chambers have proliferated the committees resulting in the rise to over 90 committees in a chamber after the inauguration of the assembly in June 2015. The constitution of the committees had most often triggered avoidable conflict among members. Most often the conflict is not driven by partisan but personal interest. In extreme cases, house leadership had been challenged and changed over conflict resulting from the composition of house committees. This was very evident in the removal of the speaker in 2007. The constitution of committees is used as a patronage for rewarding members with 'juicy' committee placement by the leadership of both chambers (Fashagba 2009b). For further discussion, most of the issues highlighted in this introductory chapter are given greater attention the remaining nine chapters.

## **Some Constitutional and Emerging Features of the National Assembly**

The provisions of the amended 1999 constitution of Nigeria reveal some major features of the Nigerian central legislature. The features are as follows:

The members of the national assembly are elected under a separate election. The president is also separately elected.

The constitution provides for a 4-year term for members. However, there is no restriction or limit to the number of time a member can serve provided he or she continues to be re-elected.

The national assembly is a bicameral assembly. The lower house is the House of Representatives while the upper house is the Senate.

Each state elects three members to the upper chamber, however the Federal Capital Territory is represented by only one senator. On the other hand, the relative population size of each state determines the number of representatives that represent it in the lower chamber.