

**THE ROLE OF LEGISLATIVE COMMITTEES IN ENHANCING LEGISLATIVE
PERFORMANCE IN NIGERIA: A STUDY OF THE HOUSE OF
REPRESENTATIVES”**

BY

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CERTIFICATION

This dissertation titled “*The Role of Legislative Committees in enhancing Legislative Performance in Nigeria: A Study of the House of Representatives*” presented by Musa Aliyu (PG/NLS/1714020) has met the partial requirements for the award of the degree of Masters in Legislative Studies (MLS) of the National Institute for Legislative and Democratic Studies/University of Benin, Edo State.

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DECLARATION

I hereby declare that this dissertation is a product of my own research efforts, undertaken under the supervision of Dr Terfa Abraham. It is an original work and no part of it has ever been presented for the award of any degree anywhere. All sources of information used have been duly acknowledged through the references.

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APPROVAL PAGE

This is to certify that this dissertation “*The Role of Legislative Committees in enhancing Legislative Performance in Nigeria: A Study of the House of Representatives*” has been read and approved as having met the partial requirements for the award of the degree of Masters in Legislative Studies of the University of Benin/National Institute for Legislative and Democratic Studies is approved for contribution to knowledge.

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DEDICATION

This dissertation is dedicated to my mother Hajiya Aisha Aliyu, my father late Malam Aliyu Jalam, my dear wife Hajiya Fatima Musa, my lovely children; Lt. Muhammad Kabir Musa, Dr Abdulshahid Musa, Aisha Musa, Lukman Musa, Khadija Musa, Aliyu Musa, and Rabia Musa, whose support and backing I received when I began to pursue legislative career as an officer in the National Assembly.

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LIST OF ABBREVIATIONS

MDAs – Ministries, Department and Agencies

NDI – National Democratic Institute for international Affairs

OED – Oxford English dictionary

PEO – Parliamentary Education Office

WBG – World Bank Group

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ABSTRACT

The study was designed to investigate the role of legislative committees in enhancing effective legislative performance in Nigeria, focusing on the House of Representatives. The objectives of the study were to; identify the role of legislative committees in the National Assembly, assess the performance of legislative committees in the legislative process, identify the challenges militating against the effectiveness of committees in the National Assembly, and proffer solutions to the challenges militating against the effectiveness of committees of the National Assembly.

The study adopted the mixed research design using quantitative as well as qualitative methods of data collection. The purposive sampling technique was used to select the respondents that provided primary data, while secondary data was taken from published materials. The Statistical Package for the Social Sciences (SPSS 16.0) was used to analyse quantitative data, while the content analysis was employed in analysing qualitative data.

The analysis revealed that the roles of legislative committees is crucial for the effectiveness of the House of Representatives, hence, respondents noted their respective committee functions to include bill scrutiny, oversight, consideration of public petition, identifying issues suitable for legislative review, among others. The study showed that the challenges confronting legislative committees, ditto House of Representatives Committees on Tertiary Education and Services, and Defence includes: lack of fund for committees' activities, lack of cooperation from MDAs, ineffectiveness of committees' leadership, low motivation of committees' staff, etc.

To improve the effectiveness of committees in the House of Representatives, the study suggested provision of fund for committees' activities. It also proffered solutions like

selection of committees' leadership based on expertise, training and retraining of members of committees' secretariat, improved relationship with MDAs, etc.

CHAPTER ONE

Introduction

1.1. Background to the study

Committees are microcosm of the legislatures (Mackintosh, 1985, p. 15), or what Woodrow Wilson called the little legislatures (Cummings & Wilson, as cited in Fashagba, 2009, p. 428).

However, the committees of the Nigeria National Assembly are not insulated from the challenges plaguing legislative committees suggested by Fashagba (2009). Section 4 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), grants the National Assembly the legislative powers of the Federation. The Constitution would further grant it powers to regulate its own procedure (1999 Constitution, Section 60, 2018). Therefore, its standing orders make provision for the establishment of committees. From the foregoing constitutional provisions, Committees occupy a unique position in the legislative process. Thus, needless to say those committees are the engine room of the legislature.

According to Okon and Essien (2005), the committee system is one of the unique features of the legislature. This was also captured in Kousoulas' submission (as cited in Fashagba, 2009, p. 427) "that in large legislatures, as well as small ones, much of the work is done by committees, and this partly compensates for the limitation inherent in a large membership". This division of the house into a smaller component unit is in my view, a means of promoting efficiency in the performance of the legislative roles of the assembly. This is in consonance with the position of Lawrence and Oppenhermer (1981, p. 157) who asserted that the committee enjoys constitutionally permitted delegated decision making authority which are sanctioned by the

larger house. They would further aver that “policy making is committee centered”. To this end, it would be safe to assert that the committee system is the fulcrum of any legislative assembly.

In the National Assembly, Committees are sub-division of members in to a sub – working groups to enhance the performance of the legislature. In broad terms, the Committee System is designed to; promote legislative efficiency and effectiveness, make detailed examination of Bills and other legislative assignments, provide for legislative oversight of the Executive Branch of Government and other matters related therein, summon any person to appear before them to give evidence under oath or affirmation, or to produce documents, compel the compliance by any person or institution to comply with a summons or a request for a report, receive petitions, representations or submissions from any interested persons or institutions, sits notwithstanding any adjournment of the House, and, promote public participation in the legislative process through public hearing, interactive sessions, and investigations among others.

As stated by Pelizzo and Stapenhurst (as cited in Asimiyu, Asemota & Abdullahi, 2018, slide 24) to the effect that oversight is the obvious follow – on activity linked to lawmaking. It is worthy of note that the scopes of oversight being policy – programme – project as suggested by Asimiyu et al. (2018, slide 26) should be attended to adequately to avoid the pressure often mounted on projects which breeds Legislative corruption (Asimiyu et al., 2018, slide 17); as recent research suggests that legislatures play a significant role in policy making and in keeping watch on the actions of the executive branch (Martin & Vanberg, 2004).

Despite the strategic role of the Committee system and the challenges they face, Fashagba (2009: 441) argued that, public mistrust of the legislature, remains a source of concern. At the level of the Executive, the story is not any different. For instance, invitations by the National Assembly

to MDAs, are not always honored as they are viewed as a means of undue interference by the Ministry, Department and Agencies (MDA) involved.

This can be easily seen in the way MDAs hold various committees. They choose in an anti-democratic manner which invitation or resolution to honour, or policies to implement (Fashagba, 2009). Thereby, turning oversight reports to documents for the archives¹. For instance, summons or warrants issued by committees are often disregarded by law enforcement agencies (Business Highlights, 2017, March 16th, Daily Post, 2016, November 7th, etc.). This in my opinion undermines the performance of the committee in question, thereby hampering the legislative efficiency of the assembly in general. Therefore, it is no doubt that an effective committee will enhance the legislative capacity of the National Assembly.

1.2. Statement of the Research Problem

Committees provide a bridge between the government and the people, especially through their investigative role (Fashagba, 2009, p. 435). According to Cummings and Wise (1997), while committees basically process legislation, they combine this with other responsibilities, such as educating the public on important issues through hearings and investigations. In formulating policies, it holds an unrivalled role of the foremost player in governance (Van Gestel, 2014).

While there is an attempt at strengthening institutions aimed at improving the efficiency of the committee system in parliaments elsewhere, the same cannot be said of the Nigerian National Assembly where disregard for the sacred doctrine of separation of powers as espoused by Montesquieu holds sway and have assumed a monumental proportion (2018, The Guardian, August 8th; 2018, The Cable, August 9th).

¹ Fashagba, 2009, Ibid.

Sequel to this, the committee system holds no efficacy in the National Assembly as Heads of Ministries, Departments and Agencies see committees as an extension of the executive branch where party consideration takes preeminence except in cases where members of parliament wants to stand out to be counted (Fashagba, 2009). Consequently, errant committees – those perceived not to tow the path dictated by the executive is seen as clogs in the wheel of progress.

Therefore, this study is designed to investigate the role of legislative committees in enhancing effective legislation in Nigeria.

1.3. Research Objectives

The broad objective of this study is to investigate the role of legislative committees in enhancing effective legislation in Nigeria. Other objectives are:

- a. To identify the role of legislative committees in the National Assembly.
- b. To assess the performance of legislative committees in the legislative process.
- c. To identify the challenges militating against the effectiveness of committees in the National Assembly.
- d. To proffer solutions to the challenges militating against the effectiveness of committees of the National Assembly.

1.4. Research Questions

The following research questions will guide the study:

- a. What are the legislative roles of the committees of the National Assembly?
- b. To what extent does the committees of the National Assembly carry – out their legislative mandate?
- c. What challenges militating against the effectiveness of the committees of the National Assembly?
- d. What solutions would enhance the effectiveness of the committees of the National Assembly?

1.5. Scope and Limitation of the Study

The focus of this study is to investigate the role of legislative committees in enhancing effective legislation in Nigeria. It would seek to x – ray its activities including its role in promulgation of laws and formulation of policies, oversight functions aimed at enhancing the effectiveness of legislations, and its undisputed functions both as a guide and conscience of the National Assembly. In view of this, the study was limited to the scope of the activities of the 8th National Assembly's committee on Defense. The choice of the House of Representative's committee on Defense is deliberate so as to ensure efficiency and adequate review of relevant documents.

1.6. Significance of the Study

The importance of the committee system of organizing the legislature predates recent history (Blondel, 1973). Blondel had argued that in the communist Soviet Union, the committee system of organizing the legislature was not discountenanced. In the light of this, legislatures in the committee, is the legislature at work. Hence, the widely held view that the committee is the fulcrum of any legislative assembly. To this end, the impacts of the activities of the committees of the National Assembly will be critically examined, identifying palpable challenges and proffering appropriate solutions for the enhancement of effective legislations. Therefore, the National Assembly is the first beneficiary of this study.

One of the motivations for the study therefore is to provide insight into these issues – being mandate and functions of legislative committees.

The study is thus designed to provide feedback and help improve the effectiveness of National Assembly Committees. It would also be of benefit to the National Secretariat of Nigerian Legislatures, Clerk of the National Assembly, etc. in pursuing committee's overall effectiveness.

1.7. Organization of Chapters

Chapter One contains the introduction which has the background to the research, statement of problem, scope and limitation of the research, and the significance of the study.

Chapter Two will provide a detailed review of literatures relevant to the study and theoretical framework.

Chapter Three focuses on the research Methodology.

Chapter Four will focus on the presentation of data, and discussion of results.

Chapter Five will contain the summary of the study, recommendations, contribution of the study, and general conclusion.

1.8. Definition of Terms

1.8.1. Legislative Committees: A legislative committee is a sub-division of a House of Assembly, which is usually appointed to perform some functions or carry out certain assignments for the legislature as a whole.

1.8.2. Legislation: legislation is a written law enacted by a body or person authorized to do so by the constitution or other legislation.

1.8.3. House of Representatives: the House of Representatives is the lower House of Nigeria's National Assembly.

CHAPTER TWO

Literature Review and Theoretical Framework

This Chapter will x-ray the views of scholars on concepts that would be raised in the course of this study. This chapter is therefore divided into seven major sections which are further subdivided into minor sections namely: the legislature; (meaning of a legislature, types of a legislature); the legislative process; the committee system in Nigeria's National Assembly; (meaning of committee system, types of legislative committees, importance of legislative committees); and committees in the legislative process (Challenges confronting legislative committees in the National Assembly).

Thereafter, attempt will be made at situating this study within a theoretical framework that will best conceptualize the phenomenon under review.

2.1. The Legislature

This section will provide a brief meaning of the legislature and its types. However, it is important to point out that the word parliament will be used in some cases to signify the legislature. Hence, the words will be used interchangeably to denote the assembly of elected representatives.

2.1.1. Meaning of the Legislature

Parliament is a popularly elected, representative political assembly that ensures that responsiveness and accountability of government to citizens (Parliaments that work, n. d.). In what seems to be an agreement to the position of Parliaments that work, Remini (2007), Franchino and Holland (2008) and Johnson (2005) all argued that some of their basic functions are representing the needs and wishes of citizens and groups; reflecting and bringing their needs,

aspirations, problems, concerns, and priorities to the policy making process; identifying problems and making policies to address them; and overseeing the implementation of policies so as to ensure policies and programmes are carried out legally, effectively, and according to the legislative intent. According to “Parliamentary Education Office” (2016) the English term is derived from Anglo – Norman and dates to the 14th century, coming from the 11th century old French *parlement*, from *parler*, meaning “to talk”. By the 15th century, in Britain, it had come to specifically mean the legislature (Oxford English Dictionary, OED, 2005). The organization, powers and functions of parliaments vary widely (Parliaments that work, n. d.). According to it, legislatures ensure the responsiveness and accountability of governments to citizens by performing the vital functions of; conducting free and open political debate regarding government’s legislations and representing citizens and groups in their dealings with government.

The “Parliamentary Education Office”, PEO (2016, p. 1) posits that a parliament is an assembly of elected representatives of a people or a nation, which forms the supreme legislative (law – making) authority for the people or nation. In what seems an agreement to the position of Wikipedia, the PEO further averred that the fundamental parliamentary concepts of assembly, representation and legislation go back to thousands of years.

Historically, there is evidence that citizen’s assemblies held in ancient Mesopotamia (modern – day Syria and Iraq) as far back as 2500 BC (PEO, 2016b, p. 2). Some of the first established assemblies which had elements of the modern parliament according to PEO were held in Ancient Greece and Rome.

In Nigeria, the House of Representatives which is the focus of this study was birthed by the 1951 constitutions. As part of its provisions, there was to be a central legislature to be called the House

of Representatives replacing the Legislative Council (Ojo, 1997a, p. 61). Ojo revealed that it “composed of indirectly elected members – that is through the process of Electoral Colleges from the Regional Legislatures – numbering 136 (68 from the North and 34 from the East and West)”. According to Ojo, the powers of the legislature was expanded to allow it legislate on any matter at all.

The Lyttleton constitution of 1954 provided for Regional Houses independent of the Central Legislature, now House of Representatives (Ojo, 1997b, p. 67). This constitution showed the first ever attempt at dividing functions of government among the various tiers, thereby creating the exclusive and residual lists. The House of Representative increased numerically to 184 members (i.e., 1 member for 170,000 inhabitants) with the North having 92, East and West 42 each, Southern Cameroons 6 and Lagos 2 members². Subsequent amendments in 1957 and 1959 (Ojo, 1997c, p. 144; 1997d, p. 145) brought about the creation of the office of the Prime Minister being a person who appeared to have the support of the majority of Members of the House, and the division of the Central Legislature into two chambers – Senate and House of Representatives respectively.

2.1.2. Types of Legislature

Legislatures are known to be key actors in the political system of a nation and have a lot of roles to play in enhancing good governance and democracy (Debay, Selassie & Terefe, 2018a, p. 41). Scholars tend to agree that the extent and nature of the role played by legislatures in the policymaking process vary greatly from country to country (Johnson, 2005). According to Oyediran (1990), three main types of legislature seem to have evolved in Nigeria’s political history. First, is the legislature that can neither modify nor reject executive proposals or

² See also Ojo, 1997b.

legislatures with little or no policy making powers? These were in vogue between 1914 and 1922, when the Nigerian council had no legislative authority. Second, the legislatures that have power to modify executive proposals, but could not reject such proposal. This role was significantly played by most of the second chambers in Nigeria (1954 – 66) especially with respect to legislations on appropriation (Nwaubani, 2004a, p. 84). Nwaubani gave an instance of the House of Chiefs in the Northern region that had no power to originate, amend, delay or reject money bill. However, other bills have to have the approval of the House of Assembly and House of Chiefs (Oyediran 1990, p. 11). The third type of legislature as espoused by Oyediran is the strong, active legislature with strong policy making power. This type enjoyed the power to reject as well as modify executive proposal and even on its own propose legislative bills (Oyediran, 1990). This trend started with the 1979 constitution and has lasted till the present democratic era (Nwaubani, 2014a, p. 84).

The above types of legislature agree with those stated by Johnson and Nakamura (1999a, p. 6) wherein they listed the generic forms of legislatures to include;

2.1.2.1. Rubber Stamp Legislatures

These are legislative bodies that simply endorse the choices made elsewhere in the society (Johnson & Nakamura, 1999a, p. 6). Johnson and Nakamura further stated that the most frequently cited examples of such legislatures are those drawn from authoritarian and totalitarian countries where legislatures are largely symbolic bodies endorsing the decision of leaders. They do have little capacity or willingness to scrutinize the conduct of government (Johnson, 2005, p. 4; Saiegh, 2005). Its inability to make independent contribution to the policymaking process (Johnson, 2005), accounts for the reason Debay, Selassie and Terefe, (2018, p. 41) referred to it as the simplest of legislatures.

According to their workings, they require little in the way of internal complexity and information processing capacity since they merely endorse decisions (Johnson & Nakamura, 1999, p. 6). Therefore, most believe that this type of legislatures are neither expensive to operate nor demand adequate internal structure or expert staff since they are not required to participate actively and meaningfully (Debay et al., 2018, p. 41). The Duma of the Soviet Union and the Mexican Congress during the decades of PRI dominance are classic examples of rubber stamp legislatures (Debay et al., 2018).

However, on questions of its democratic or undemocratic stature, Johnson and Nakamura (1999) argued thus:

While the term “rubber stamp” is often used in an unflattering fashion and equated with undemocratic, being a “rubber stamp” is not necessarily undemocratic, nor bad. Leaving aside non – democratic societies, a rubber stamp legislature may be justified in democratic terms if the decision made by the external body should be made by them for democratic reasons. The clearest example is the American Electoral College whose members should not interject their personal views after the plurality of the people have made their choice for president (Johnson & Nakamura, 2009: 6).

This lays to rest the misconception that such legislatures are often restricted to non – democratic political systems (Johnson & Nakamura, 2009).

2.1.2.2. Arena Legislature

Arena legislatures are more powerful than rubber stamp legislatures, and are places of real discussion, speech and debate (Johnson, 2005, p. 4). Here, public policies are debated from different perspectives and actions of government are assessed by different criteria (Johnson & Nakamura, 1999, p. 7). Debay, Selassie and Terefe (2018, p. 42) lent their voice in support of the above assertion by positing that Arena legislatures are characterized by the presence of real discussion through which parliamentarians’ articulate differences in societies and evaluate and

interpret the policy proposal initiated, most often, by executives from different perspectives. They further opined that the society and its diversity is represented all together and initiated public policies as well as actions discussed dispassionately being viewed from different with a number of criteria and which incorporates the societal differences in diversity. Debay et al (2018, p. 42), and Johnson and Nakamura (1999, p. 7) seems to share the above view on the appropriateness of the Arena legislatures to effectively represent a society's diversity.

As a hallmark of parliaments, consensus building remains a veritable tool in Arena legislatures where diverse views are reconciled to the extent possible to sustain collective action (Johnson & Nakamura, 1999, p. 7). According to Johnson and Nakamura, the information needs of the Arena legislature are comparatively higher than rubber stamp legislatures. Analogically, Johnson and Nakamura posits that an Arena legislature is like a thermometer that records body temperature around it, succinctly put; it reflects the “political temperature” with regards to the issue before it. The British House of Commons typifies an Arena legislature.

2.1.2.3. Transformative Legislatures

Transformative legislatures are the least common according to Johnson (2005, p. 5). Johnson and Nakamura (1999, p. 7) seem to agree with this view when they argued that the transformative legislatures are the rarest type of legislature. However, they added that transformative legislatures are legislative bodies capable of both representing and shaping societal demands. They opined that they both articulate diverse societal preferences and serve as an independent shaper of the policies that emerge. Debay, Selassie and Terefe (2018, p. 43) on their part enthused that transformative legislatures are legislatures that are capable of initiating their own policies, representing diverse societal interests and shaping budgets and policies. Furthermore, such legislatures, even though they are rare, not only represent but also lead (Debay et al. 2018).

Practically, its workings has complex internal structure (including strong committee system), great information needs and depends heavily on highly trained professionals (Debay et al. 2018).

Comparatively, while Arena legislatures are thought of as thermometers, recording the temperature within their immediate environment, Transformative legislatures are thermostats that seek to determine the temperature around it – within the limits of climate control machinery capacities (Debay et al. 2018). Operationally, transformative legislatures change policies and budgets proposed by government, and even initiate policies of their own (Debay et al. 2018). The United States (US) Congress is probably the best example of a transformative legislature.

2.1.2.4. Emerging Legislatures

In the words of Johnson (2005, p. 5), “emerging legislatures are in the process of change from one type to another”. Hence, he argued that since such legislatures are exercising influence over government policies, they are emerging legislatures. This authority they would assert by expanding their powers; requiring major legislative changes, building stronger committees, expanding professional staff, developing improved information system, etc. (Johnson, 2005).

Johnson (2005, p. 6) added that due to its susceptibility to change, emerging legislatures are often under stress, as parliament’s managers and staff struggle to meet the growing demand. This often so as there is always a shortfall of staff and resources that once met the demand of a less assertive legislature. Examples of such legislatures are Bolivia and a host of Latin American legislatures.

Summarily, the history of Nigeria’s legislature coincides with the types of legislature mentioned above in this manner; the legislative body that existed from 1914 – 1922 can be termed a rubber stamp legislature since it served only endorsement purposes, the arena legislature features some

of the characteristics of Nigeria's legislature of 1954 – 1996, and the last type of legislature which was birthed with the advent of the 1979 constitution is the transformative legislature. It would also be safe to add that State Houses of Assemblies are perfect description of emerging legislatures.

2.2. The Legislative Process

While many people may participate in the drafting on a bill, only a member of congress can introduce legislation (“The Legislative Process”, n. d., slide 1). This being the practice in the United State congress is the same with Nigeria's National Assembly. A bill according to Danwanka and Ibrahim (2018, p. 1) is a legislative proposal and the first step in creating a new law. They added that bills are assigned unique numbers that either begins with “HR or HB” (to show the bill originated in the House of Representatives) or “S or SB” (to shoe it originated in the Senate).

The legislative process officially begins when a bill or resolution is assigned a unique number, is referred to a committee and is printed by the Government Printing Office (Danwanka & Ibrahim, 2018). As observed by Danwanka and Ibrahim, the stages of a bill are;

- a) First Reading: A formal stage only and is done by the clerk reading aloud the short title of the bill on a date fixed for the first reading of that bill. A motion is moved for its presentation by the sponsor (in case of a member's bill) or the majority leader of the House (in case of Government bills).
- b) Second Reading: unlike the first reading, the second reading allows for debate on the bill's general merits, imports and principles, and the House decides, at this stage, to give or withhold provisional approval. If it is read the second time, the House is deemed to have

approved the bill in principle. Senate Standing Rules (2011, Order 80) laid down the rules and principles for this stage.

- c) Committal: the second reading is followed by the committee stage, apparently referred to the appropriate committee which has the jurisdiction on the content of the bill. This is however the prerogative of the presiding officer. Committee referral is stated explicitly in the standing rule of the Senate (2011, Order 81).
- d) Committee of the Whole House: this stage could come after the second reading upon a motion moved by a member of the House (2007, Order 5(1) Rule XII of the House of Representative), but if otherwise the standing committee submits its report to the House at plenary where it dissolves into a committee of the whole.
- e) Third Reading: when a bill has been reported from a committee of the Whole House, it shall be ordered to be read the third time upon such time as may be appointed by the Rules and Business committee, except where a motion for “recommittal” is moved. Amendments are made at this stage, howbeit, minor ones. The bill invariably passes the third reading.
- f) Clean Bill: for the bill to become law, it must be passed in identical form by both Houses of a bicameral legislature and then assented to by the President. The originating House sends a clean bill signed by its clerk to the other chamber for its concurrence where the bill passes through similar stages. Where disagreements exist, a conference committee is formed to iron out such grey areas. The conference report is laid in each House for consideration and adoption.
- g) Presidential Assent: a clean copy of the bill is sent to the president for assent. Section 58 (1999, Constitution as amended) is clear on veto and override of same.

2.3. The Committee System in Nigeria's National Assembly

This section will seek to provide the meaning of committee system, list types of legislative committees, and highlight briefly some functions of legislative committees.

2.3.1. The Committee System

Almost all democratic legislatures depend on committees to conduct their business (National Democratic Institute for International Affairs, NDI, 1996, P.3; Asimiyu, 2018a, slide 5). They also added that committees are sometimes called commissions. Committees or commissions are small groups of legislators who are assigned, on either a temporary or a permanent basis, to examine matters more closely than could the full chamber (Asimiyu, 2018).

Legislative committees in the U.S. congress and the American state legislatures were formed to divide an ever – increasing workload among smaller sub – units (Wilson 1885; McConachie, 1898). This view is in agreement with that expressed by Mackintosh (1985, p. 15) wherein he averred that committees are microcosm of the legislature. Scholarly works have also shown that committee systems have a significant and important impact on the legislative process itself as well as the public policies formed via this process (Martorano, 2008, p. 1). Hence, Heitshusen (2011) argued that,

Congress divides its legislative, oversight, and internal administrative tasks among more than 200 committees and subcommittees. It is important to state that within assigned areas, these subunits gather information; compare and evaluate legislative alternatives; identify policy problems and propose solutions, select, determine, and report measures for full chamber consideration; monitor executive branch performance (oversight); and investigate allegations of wrongdoing (Heitshusen, 2011: 1).

The description above of committees as subunits agrees with the position of Francis (1989) as he likened the committee system as a legislative House in its entirety.

2.3.2. Types of Legislative Committees

According to Heitshusen (2011, p. 1), there are three main types of committees: standing, select or special, and joint. This agrees with the standing rules of the Senate (2011, Orders 95, 96, 97 & 98), and House of Representatives (Orders XVII and XVIII); and Section 62 (1999, Constitution as amended). While the standing rule provides for the composition and functions of standing and special committees, section 62(3) of the constitution of the Federal Republic of Nigeria (CFRN) stated inter alia, “The Senate and the House of Representatives shall appoint a Joint Committee of Finance consisting of an equal number of persons appointed by each House and may appoint any other joint committee under the provision of this section”.

Below is a brief description of the types of committees mentioned above?

2.3.2.1. Standing Committees

Standing committees are permanent panels identified as such in the standing orders of the senate (2011, Order 98), and the House of Representatives (Order XVIII). A cursory look at this rule shows the House of Representatives committee on Defence Order XVIII Rule 143(Standing Rules, 2014, as amended). According to Asimiyu (2018, p. 6), the standing orders defines committees mandate and functions. The provision of this order of the senate’s standing rule puts the number of standing committees at 51. Because they have legislative jurisdiction, standing committees consider bills and issues and recommend measures for consideration by their respective members (Heitshusen, 2011, p. 1).

2.3.2.2. Special Committees

These types of committees are represented in Order 96 of the senate standing rules (2011 as amended) and Order XVIII of the House standing rules (2014 as amended). Upon the proclamation and inauguration of an assembly, membership into these committees is appointed (2011, Order 95 of the standing rule). This is so because these committees serve as the livewire of the assembly. The senate committee on selection for instance in consultation with principal officers appoint members for standing committees. There are seven famed special committees in the Nigerian National Assembly namely: committees on selection, rules and business committee, Senate/House services committee, public petition committee, committee on ethics and privileges, committee on media and publicity.

2.3.2.3. Joint Committees

A joint committee is a combination of two similar committees from the two Houses of a bicameral legislature or a combination of two or more committees from the same House. Section 62 (3) of the Constitution of the Federal Republic of Nigeria 1999 (as amended) holds the view for such committees to be appointed when and if situations deem so, especially the committees on Finance. Instructively, a joint committee is made up of different committees appointed to solve special or joint legislative puzzles.

Dunmoye, Njoku and Alubo (2007) agrees in part with the types of committees listed by Heitshusen (2011). Dunmoye et al argued that the types of committees include;

- a) Standing Committees
- b) Special/Select committees
- c) Joint Committees

- d) Conference committees
- e) Sub-Committees
- f) Committee of the Whole House

The types of committees listed by Heitshusen (2011) will be adopted for the purpose of this study. This is because it encapsulates the breakdown of committee types listed by Dunmoye et al (2007).

2.3.3. Functions of Legislative Committees

According to the National Democratic Institute for International Affairs, NDI (1996, p. 3), some functions of a legislative committee includes;

- a) Committees allow the legislature to perform simultaneously numerous important functions that otherwise might not be conducted at all. These matters may include: detailed review of proposed legislation; oversight of executive branch; examination of and reporting on policy issues; and special investigations.
- b) Committee proceedings operate under less formal rules of procedure than those that govern the entire legislature (plenary or floor proceeding). Committee members are able to discuss issues informally and to develop relationships with committee colleagues who represent other parties. That creates a collegial environment in which compromises on small matters and technical improvements in legislation can be agreed upon expeditiously.
- c) Committee members become authorities on matters within the jurisdiction of their committees and are acknowledged as such by their legislative colleagues, the press and the public. Committee membership is thus a means of establishing leadership within the legislature and visibility in the public arena.

- d) Committees that hold public meetings, thereby allowing citizen and media attendance, educate citizens on important policy issues, the likely implications of proposals and about the democratic process. Open meetings allow committees to gain public understanding and build support for the legislature's subsequent decisions.
- e) Committees that conduct public hearings provide an opportunity for academic, business and nongovernmental experts to present their views. There are two types of hearings: hearings that review the executive's implementation of previously enacted laws (oversight) and hearings that discuss and review draft legislation. In either case, outside experts contribute valuable information and guidance to committee deliberations. They can also provide important authoritative support for committee proposals and decisions.

On their part, Dunmoye, Njoku and Alubo (2007) listed the functions of standing committees to include;

- a) "They conduct oversight on executive agencies under their jurisdiction."
- b) "They scrutinize measures and bills (draft laws or legislative proposals) assigned to them by their parent bodies in detailed manner."
- c) "They conduct hearings on bills, crimes and other matters assigned, and thereby provide mechanism for expression of viewpoints by groups and individuals on matters of public interest."
- d) They perform adjudicative functions by settling disputes and investigating crimes."
- e) "They consider annual budget estimates of the executive agencies under their legislative jurisdiction."

The functions of the legislative committee highlighted above by Dunmoye et al (2007) agrees with those put forward by NDI (1996). However, this study will adopt those by NDI (1996)

because, while Dunmoye et al noted functions peculiar to standing committees, the functions legislative committees by NDI is more encompassing as it applies to all the types of committees.

2.4. Committees in the Legislative Process

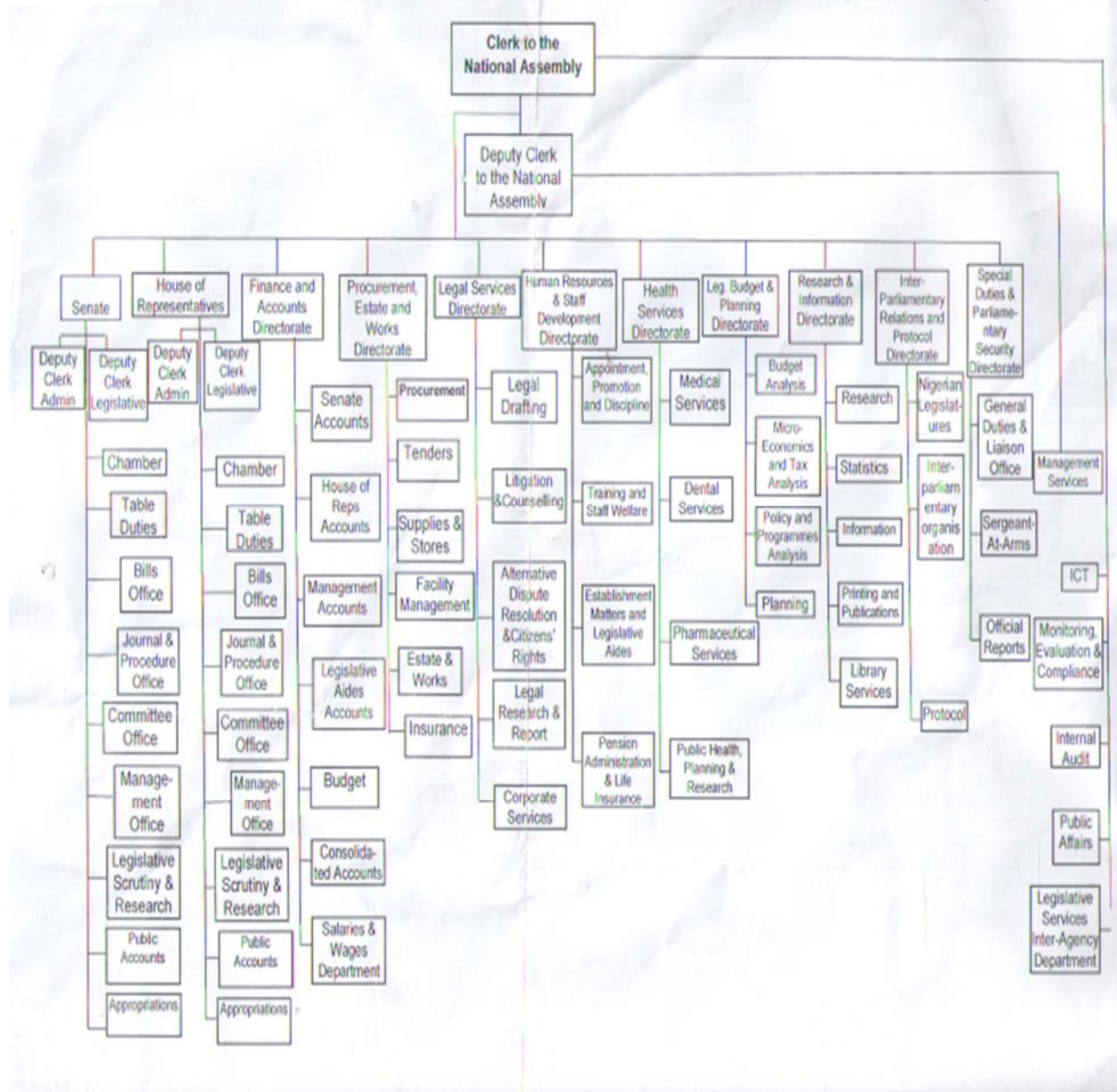
The place of committees in the legislative process cannot be overemphasized. Hence, the National Democratic Institute for International Affairs, NDI (1996, p. 4) suggested that most national legislatures have committees; however, NDI further asserted that the types of committees, their duties and significance vary between jurisdictions. Former U. S Representative James Shanon seems to agree with NDI's position when he stated that;

Around the World there is a trend to move toward more reliance on committees to conduct the work of parliament, and the greatest reason for this trend is a concern for efficiency. The demands on a modern parliament are numerous and it is not possible for the whole House to consider all the details necessary for performing the proper function of a legislature (National Democratic Institute for International Affairs, NDI, 1995: 12).

As it is reminiscent of all transformative legislatures to rely on more sophisticated committee systems with greater information need and dependence on trained professionals, the role of a committee in the legislative process is therefore unrivalled.

In the heart of the organizational structure on the National Assembly are the committee offices in both Houses as shown in the diagram below;

Figure 2.1: ORGANISATIONAL CHART OF THE NATIONAL ASSEMBLY (PROPOSED)



Source: Office of the Clerk to the National Assembly (2019)

The committee offices as shown above sits in the heart of an important stage in the legislative process being committal as stated by Danwanka and Ibrahim (2018). Whereas the gains cannot be quantified, some challenges hindering its effectiveness will be stated in the next section.

2.4.1. Challenges Confronting Committees in the National Assembly

Fashagba (2009, p. 441) puts constraints of the legislative committees into four instructive folds;

First, the ignorance of members of the executive arm who rather than honour committee invitations, resort to seeming ‘diplomacy’ to evade mere legislative chats. This is more worrisome as the chief executive is often co-opted in the plot to escape legislative scrutiny.

Second, the lackadaisical attitude of implementing agencies towards the resolutions and recommendations of committees. Fashagba opined that civil servants were used to taking orders from the military regime and so have refused to be attuned to the roles of the legislature in a democratic regime.

Third, financial constraints in the face of committee’s enormous tasks. Where the legislature has no clearly defined source of income but depends solely on monthly allocations from the executive, a shade is cast on its ability of independent decision and thought.

Lastly, he noted that godfather factor remains a concern as errant godsons are replaced at the dictates of their benefactors. This no doubt enhances the prospects of legislative turnover, leaving committees with legislators with little or no knowledge of the workings of the legislature. Instructively, under such circumstance, the ability of individual committee members to perform their duties dispassionately becomes grossly impaired.

In what seems an agreement with the position of Fashagba (2009), World Bank Group, WBG (2007) listed the following as challenges with parliamentary committees:

- 1) “Embedding evolving policy challenges into already codified jurisdictional definitions, e.g. crosscutting issues such as the environment, trade, health, and welfare”. These issues demand

integrated deliberation and oversight. Thus, it is argued that there may exist instances of shared jurisdiction. This may impede the speed of legislative deliberation, thereby affecting committee's effectiveness.

- 2) "Inadequate resources": parliamentary committee staff members are required to support the activities of committees that, for instance, carry out research and communicate between parliamentarians. However, the resource constraints that have hindered the progress of most parliaments also extend and affect parliamentary work at the committee level;
- 3) "Changing phases of parliamentary committees": The evolving nature of parliamentary committees in most parliaments sometimes creates challenges in being able to tell the mandate of a committee from its name. A good example is the use of the term "finance committee" and "budget committee". The mandates of these committees are often unique to the countries in which they are found.
- 4) "Managing the relations between parliamentary committees and government ministries' departments and agencies": Without clearly defined guidelines, clear understanding of the mandate of the committee and without well-established channels of communication, managing the relationship with government ministries department and agencies can be a daunting task especially where the rules of engagement and committees' oversight role are not well established as pertains in young and emerging democracies. This worry was expressed by Fashagba (2009) when he argued that members of the executives shows 'lackadaisical' attitude towards legislative (committee) summons, misconstruing it as an appendage of the executive.
- 5) "Managing and sustaining inter-parliamentary committee relations": Inter-parliamentary cooperation can be very beneficial in strengthening peer support and learning but there are

often challenges related to such relations. Hence, WBG (2007) noted that “lack of financial resources to promote reciprocal visits can hinder such partnership”. WBG further asserted that most parliaments are yet to take advantage of new Information Technology facilities that can allow online interaction without the cost associated with travel. Inter parliamentary associations such as the IPU may need to increase support for inter-committee relations.

Therefore, this study wishes to state that the committees of the National Assembly are not immune to the challenges of legislative committees listed by Fashagba and WBG. Succinctly, it is worthy of note that, the House of Representatives Committee on Defence like other legislative committees, are faced with most of the challenges listed above especially as it is often viewed from the prisms of ethnicity and partisan/political considerations.

2.5. Theoretical Framework

Grant and Osanloo (2014) posited that the theoretical framework consists of theoretical principles, constructs, concepts, and tenants of a theory. They added further that in a postgraduate thesis or dissertation research, all aspects of the research are expected to connect to the theoretical framework. This view seems to agree with the position of Brondizo, Leemans and Solecki (2014) when they argued that the theoretical framework is the specific theory or theories about aspects of human endeavor that can be useful to the study of events.

Succinctly put, this study will be situated within the framework of the organizational theory to provide it the needed blueprint.

2.5.1. The Organizational Theory

The organizational theory will be used to drive home committee's efficiency and productivity.

A theory according to the Webster's Third International Dictionary (as cited in Starbuck, 1983, pp. 91 – 102) is a coherent group of general propositions used as principles of explanation. Hence, organizational theory is a collection of general propositions about organizations. Starbuck (1983, p. 143) posited that, "the history of organizational theory is in contrast with the history of managerial thought – which began having patronage between 2, 000 and 3, 000 years before the Christian era (bce)". From his viewpoint, people were engrossed in managerial thought and forgot or left unattended the organizational context within which managing was to occur.

The idea may have originated with Gulick's (1937) phrase 'the theory of organization', but it appears to have been Simon (1950, 1952) who most actively promoted the actual phrase 'organization theory'. Simon (1952) envisaged 'organization theory' as a broad category that included scientific management, industrial engineering, industrial psychology, the psychology of small groups, human resources management, and strategy. This agrees with the classical perspective where Max Weber bared his thought of an ideal democracy (Dobbin, 2012). In addition to Max Weber's contribution to this perspective of the theory, Fredrick Winslow Taylor (as cited in Hertz, 1950) introduced the scientific management theory to encourage production efficiency and productivity. These classical contributions in my view sufficed efficiently for the categorization of the theory as espoused by Simon (1952).

However, for the purpose of this study, I will attempt to relate the efficiency and productivity of the committees of the National Assembly to the overall legislative efficiency and productivity

(Martorano, 2018, p. 3) since it is viewed as a microcosm of the legislature (Mackintosh, 1985). Thereafter, I will deplore Simon's (1952) categorizations of; industrial psychology, psychology of small groups, human resource management, and strategy, for enhancing committee efficiency ultimately improving committee's productivity.

CHAPTER THREE

Research Methodology

This section will discuss the procedure adopted by the researcher in conducting this study. It will describe how data and information will be obtained to answer the research questions raised. Popoola (2011) identifies the following as major components of a research methodology – research design, the population of the study, sampling procedure, sample size, research instrument(s), validity and reliability of research instrument and method of data analysis. The methodology is central in acceptability of the research results.

Therefore, the study will discuss the methodology under the following headings:-

- a) Research design
- b) Population of the study
- c) Sampling procedure
- d) Sample size
- e) Research instrument
- f) Validity and Reliability of the Research instrument
- g) Sources of data
- h) Method of data collection
- i) Data analysis technique

3.1. Research Design

Research design is a blueprint for conducting a study with maximum control over factors that may interfere with the validity of the findings (Burns and Grove, 2003). This study adopts the mixed research design. The choice of research design is deliberate because the study will rely on a combination of questionnaires and structured interviews as research instruments.

3.2. Population of the Study

Population refers to “the total set of individuals of interest to a researcher” (Gravetter and Forzano, 2009). Population is a group of people from which a sample can be selected from for the purpose of conducting a research (Varden Bergh and Katz, 1999). Similarly, Akinade and Owolabi (2009) defines it as “the total set of observations from which a sample can be drawn”. While Avwokeni (2006) define population as a “set of all participants that qualify for a study”. It represents all conceivable elements, subjects, or observations relating to a particular area of interest to the researcher (Adeniyi, Oyekanmi & Tijani, 2011). Therefore, a population is the total collection of elements from which inference is drawn.

The population for this study are committees of the House of Representatives and members of the House of Representatives Committee on Defence.

3.3. Sampling Procedure

This means the process of selecting individual or elements for a study. The sampling technique used is purposive sampling technique. It is a non-random technique that does not need underlying theories or a set number of informants. Simply put, a researcher decides what needs to be known and sets out to find people who can and are willing to provide the information by virtue of their knowledge or experience (Bernard, 2002, p. 33). Therefore, purposive sampling will be used to select the respondents needed for this study because of the nature of the study.

3.4. Sample Size

A sample is a fraction, a representative or a sub-group of the population of a study. It can also be seen as a manageable section of a population which has similar characteristics. The sample is the elements making up the sample that is actually studied and a generalization made on the population. Therefore, for the purpose of this study, the sample size will be determined using Taro Yamane's formula.

$$n = \frac{N}{(1+Ne^2)}$$

Where: n = corrected sample size

$$N = 108 \text{ committees}$$

This number includes special committees and the committee of the whole/chambers (House of Representatives, Clerk of committees, 2019).

$$e = \text{Margin of Error (MoE)} = 0.05$$

$$\text{Therefore, } n = \frac{108}{1+108(0.05^2)}$$

$$= \frac{108}{1+(108 \times 0.0025)}$$

$$= \frac{108}{1+0.27}$$

$$= \frac{108}{1.27}$$

$$= 85.039 \approx 85$$

Therefore, the sample size for the study will be eighty-five (85). Also, ten (10) structured interviews will be administered to lawmakers who are members of the House of Representatives committee on Defence.

3.5. Research Instrument

The research instruments that will be used for the study are structured interview and questionnaire. The choice of these instruments is deliberate because the study desires key informants. While the questionnaires will serve as a source for deductive knowledge, the interviews will provide inductive knowledge. These instruments will serve relational analysis purposes.

According to Agbonifoh and Yomere (1999), inductive reasoning process helps in drawing conclusion from specific cases to the general. Essentially, inductive reasoning/knowledge implies that challenges confronting the committee on Defense applies to other committees. On the other hand, Agbonifoh and Yomere further averred that deductive reasoning infers knowledge from general principles to specific cases. That is to say, predominant challenges with legislative committees in general, will apply to the House of Representative committee on Defense in specific. Hence, the choice of both research instruments for profound knowledge of the variables under review.

3.6. Validity and Reliability

Chakrabartty (2013) opined that reliability measures consistency, precision, repeatability, and trustworthiness of a research. Hence, Mohajan (2017, p. 10) concluded that “it indicates the extent to which it is without bias (error free), and hence insures consistent measurement cross time and across the various items in the instruments (the observed scores)”. Thus, the test-retest reliability will be adopted for the study. The test-retest reliability is obtained by repeating the same measure over a second time (Mohajan, 2017). For this study, the retest of the instrument for data collection was done after one month.

On the other hand, validity refers to the extent to which the research instrument measures what it was designed to measure (Robson, 2011). Therefore, the concurrent validity will be adopted for the study. According to Mohajan (2017), the concurrent validity measures “the degree to which scores on a test are related to the scores on another, already established as valid, designed to measure the same construct, test administered at the same time or to some other valid criterion available at the same time.” Thus, the concurrent validity is considered suitable for this study, since, it will be relying on interviews in specific and questionnaires in general, as sources of inductive and deductive knowledge respectively.

3.7. Sources of Data

This study accommodates both primary and secondary sources of data.

Primary data

Primary data will be sourced through the use of review of relevant documents (sessional report) of the 8th Assembly’s House of Representatives committee on Defence; guided interview of its

members, and also, the administration of questionnaires to clerks of committees in the House of Representatives.

Secondary data

Secondary data will be sourced from books, journal articles, newspapers, magazines etc. and other relevant materials from the internet.

3.8.Method of Data Analysis and Presentation

The primary data collected will be analyzed, reframed and edited where necessary, in order to get rid of errors and ensure consistency. Responses to each question will also categorized, discussed, summarized and classified. These processes will aid in discarding unwanted responses and as well reducing the stress of tabulation. The Statistical Package for the Social Sciences (SPSS) will be used to analyze quantitative data.

Content analysis will used for qualitative data. Interviews which will be gathered through recordings and notes will be interpreted and coded in textual form. Finally, the data will be presented in tables, charts, and graphs for easy comprehension

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