

**EFFECTS OF CONSTITUTIONAL PROVISIONS AND POLITICAL WILL ON
LEGISLATIVE OVERSIGHT: A STUDY OF NIGERIA'S SENATE COMMITTEE
ON DEFENCE (2019-2023)**

BY

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**BEING A DISSERTATION SUBMITTED TO THE NATIONAL INSTITUTE FOR
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LEGISLATIVE STUDIES (MLS)**

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DECLARATION

I hereby declare that this Dissertation titled “EFFECTS OF CONSTITUTIONAL PROVISIONS AND POLITICAL WILL ON LEGISLATIVE OVERSIGHT: A STUDY OF NIGERIA’S SENATE COMMITTEE ON DEFENCE, 2019-2023” was conceived and conducted by me in the NILDS/UNIBEN Postgraduate Programme under the supervision of Dr Augustine Osigwe. The work has not been presented or published anywhere by any person, institution or organization. All authors and sources consulted have been duly acknowledged by means of in-text citation and references in accordance with ethical standards.

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CERTIFICATION

This is to certify that the Dissertation titled “EFFECTS OF CONSTITUTIONAL PROVISIONS AND POLITICAL WILL ON LEGISLATIVE OVERSIGHT: A STUDY OF NIGERIA’S SENATE COMMITTEE ON DEFENCE, 2019-2023”, was conducted by ABDUL LAUYA under my supervision, and has satisfied the minimum requirements for the award of a Master’s Degree in Legislative Studies (MLS) of the National Institute for Legislative and Democratic Studies (NILDS)/University of Benin (UNIBEN) Postgraduate Programme.

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This Dissertation titled “EFFECTS OF CONSTITUTIONAL PROVISIONS AND POLITICAL WILL ON LEGISLATIVE OVERSIGHT: A STUDY OF NIGERIA’S SENATE COMMITTEE ON DEFENCE, 2019-2023”, has been approved and accepted as partial requirements for the award of a Master’s Degree in Legislative Studies (MLS) of the NILDS/UNIBEN Postgraduate Programme.

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DEDICATION

This work is dedicated to the loving memory of my late father, Chief Lauya Yerima, 1937-2000.

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ABSTRACT

One of the key functions of modern legislatures is oversight scrutiny of the executive branch to ensure accountability and transparency in the management of resources and implementation of laws passed by parliament. However, empirical studies revealed some lacuna regarding enforcement mechanism and attitude of legislators towards the whole concept of legislative oversight. It is in the light of the above that this study examined the Effects of Constitutional Provisions and Political Will on Legislative Oversight of the 9th Senate Committee of Defence between 2019-2023. The specific objectives of the study are as follows: to examine the extent to which the provisions of the Nigerian constitution affect oversight performance of the 9th senate committee on defence; and to determine the extent to which political will of the senate committee on defence affect the performance of their oversight functions in the period under review. The research finding is expected to inform policy recommendations and reforms to strengthen legislative oversight mechanisms, promote positive attitude and integrity amongst legislators, thereby fostering good governance in the country. It would also help international donors and civil society organizations to know which areas to channel their resources in their effort to support the Nigerian legislature to become more effective overseers.

To achieve research objective one, the study utilized the Partisan Theory to show that committees are creation of political parties which maintain control over policies, hence members of the majority party are willing to collude and subvert constitutional provisions on oversight and disregard the wishes of minority parties. This is in agreement with the preponderant views of scholars in the empirical review that the drafters of the Nigerian constitution have made sufficient provisions for the regulation and control of the executive, but due to partisanship, the lawmakers have refused to harness the provisions of the constitution for intended purposes. For research objective two, the study employed the Principal-Agent

Theory to explain the conflict that often arise when one person or group, known as the ‘agent’ is representing another person or group, known as the ‘principal’. The theory pre-supposes a relationship between a principal and an agent. The legislative body is elected by the citizens to supervise the implementation of policies that have direct bearing on their lives. In doing this, the legislature tries to strike a balance between their personal interests and that of their constituents. This was supported by views of scholars in the empirical review to the effect that since the willingness by legislators to enforce oversight may be tied to the expectation of deriving material or symbolic benefits, legislators would probably be willing to muster the political will to be effective overseers if they are sure of electoral return or pecuniary gains. Stratified sampling technique was adopted to divide the total population into strata, while purposive sampling method was used to allow the researcher exercise discretion in selecting competent respondents for each stratum. 412 sample was drawn from a total population of 6,153 with 397 questionnaires returned, representing 96% response rate.

Findings for research objective one revealed that although the Constitution has provided the legal foundation for legislative oversight, weak enforcement mechanisms have limited the effectiveness of oversight in the period under review. For research objective two, it was found that legislative oversight was weakened by lack of political will resulting in less rigorous scrutiny of defence activities.

For the findings of research objective one, it was recommended that a comprehensive review of the constitutional provisions related to legislative oversight be carried out to strengthen enforcement mechanisms. For research objective two, the study recommended the promotion of positive attitude and integrity amongst legislators to engender accountability and good governance. The study concluded that a combination of strong constitutional provisions and political will are critical to a robust and effective legislative oversight.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Essentially, as the first estate of the realm, Legislatures exist globally for three cardinal purposes- Lawmaking, Representation and Oversight (Akubo & Abayomi, 2012; Hamalai, 2014). Of these three functions, perhaps the most important is the oversight (watchdog) role (Verney, 1969; Yusuf, 2020). Legislative oversight is a major component of the activities of modern legislatures irrespective of the form of government (Fashagba, 2009). Despite previously being seen as a neglected step-child (Rockman, 1984), oversight is now positioned as a key factor in strengthening democracy and good governance. In Nigeria, the constitution and standing orders of National and sub-National Assemblies have given the legislature unlimited powers to enable it make laws for good governance of the country and any matter within its legislative competence; and to expose corruption, inefficiency, or wastages in the execution and administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it Sections 4(2) 88(2b) CFRN, 1999. Sections 62(1) & 103(1) vested Committee oversight powers on the legislature. Other constitutional provisions include powers in respect of the Joint Finance Committee, sections 62(3); and Powers of Public Accounts Committees to examine the Auditor's General reports of audited accounts of MDAs and other independent semi-independent bodies (sections 85 & 125).

Oversight of the defence sector is a mechanism for democratic control of the armed forces (Aning & Larty, 2009). It is a system of control and supervision necessary to ensure that there are adequate, properly trained and motivated armed forces personnel ready to crush any internal insurrection or external aggression (Ebo & N'Diaye, 2008). However, the effectiveness with which a parliament perform these oversight functions depends on a number of factors, chief

among which is political will to deploy legislative capacity, resources and oversight tools to ensure both vertical and horizontal accountability (Pelizzo & Stapenhurst, 2014).

Presently the Armed Forces and other security forces are involved in simultaneous operations against terrorism, kidnapping and banditry across the six geo-political zones of the country. The prolonged insecurity has taken its toll on Nigeria and has continued to threaten her corporate existence. For six years running between 2015 and 2020 Nigeria was rated third most terrorized country in the world, and sixth in 2022 according to Global Terrorism Index, GTI (Business Day Newspaper, May 20, 2022). Nigeria ranked 146th least peaceful country in the world according to 2021 global peace index. Nigeria is 16th most fragile states in the world according to the 2022 report by Fund for Peace, FP. This means that Nigeria is the 16th most likely state to collapse. Also, Institute for Economics and Peace, IEP published that Nigeria is among the top countries with the largest number of terror-related deaths – 6th in the world and 3rd most terrorized country in Africa after Somalia and DR Congo. This means that Nigerian citizens are the 6th most terrorized people on earth. The civilian killings by Boko Haram hit the highest in March 2022, where according to Security Tracker, about 2,968 Nigerians were killed, 1,484 abducted in just three months from January- March 2022. Between April and September 2022, 446 people were killed; 985 were kidnapped; 414 injured and 7,032 animals rustled in Kaduna State alone (Metrowatchonline.com, 2022).

While the legislature of the 4th Assembly (1999-2003) have gone down in history as the only parliament in the fourth republic to muster the political will to override Presidential veto and passed the ICPC Act, 2000, Electoral Act, 2002 and NDDC Act, 2003; the 9th National Assembly under President Buhari is perceived by many Nigerians as a ‘rubber stamp’ legislature and extension of the executive. This is because despite huge defence spending authorized and supervised by the bicameral Nigerian legislature, it has not been able to muster the necessary political will to exercise effective oversight over the defence sector, resulting in

worsening insecurity (Igwe-Omoke, Abdullahi & Nkweakwu, 2020). There is no gain saying that the Defence Headquarters and the Ministry of Defence have failed in their constitutional mandate of guaranteeing the safety of lives, protection and preservation of the sovereignty and territorial integrity of the country, amid allegations of corruption, complicity, and sabotage within the top echelon of the military and civilian elites (Igwe-Omoke, Abdullahi & Nkweakwu, 2020).

The Nigerian Legislature is endowed with robust oversight tools for overseeing the executive, some of which include: public/investigative hearings, interactive meetings/sessions, oversight visits/inspections, questioning, interactive sessions/meetings, bill referrals, public petitions and resolutions. In spite of availability of these tools, successive Nigerian legislatures have not been able to muster the political will to carry out effective oversight of the defence sector to deliver on its constitutional mandate (Igwe-Omoke, Abdullahi & Nkweakwu, 2020). Like a Tanzanian Member of Parliament (MP) observed in a study group on Public Accounts Committees, cited in Stapenhurst, Pelizzo & Jacobs (2013), “if all members of parliament do not have the political will to actually excel at issue of accountability in a non-partisan way, then you have a huge problem”. In order to succeed as parliament, members must divulge politics from national interest. This will allow them to look at issues dispassionately rather than from a narrow political lenses. This way, members can muster the political will to take hard decisions in the overall interests of the country, not minding political affiliations.

The ability of the legislature to effectively perform its functions and hold the executive to account depends on multiple and interconnected factors, including financial and operational autonomy, the quality of people elected into the legislature, the availability of robust bureaucratic support, stability over long periods of time and experience acquired while undertaking legislative duties (Bankole, 2022). These factors as observed by Bankole (2022), are, however, affected by the high rate of legislative attrition that has characterized Nigeria’s

Fourth Republic. The replacement of the bulk of members of the legislature after each general election has serious implications for its ability to perform its role effectively.

Oversight effectiveness manifests when a legislature is willing to take risks, incur opportunity costs, and commit precious time, energy, funds and political capital to hold the executive accountable (Pelizzo & Stapenhurst, 2014). But the success of a parliament depends on constitutional provisions relating to its oversight mandate. At the NILDS-UNIBEN 6th Convocation lecture on “Challenges of Legislative Turnover: Implications for Good Governance in Nigeria” held on October 2022, Dimeji Bankole said “incapacitation of the legislature in Nigeria through high turnover of legislators, and inadequate funding, couple with deficiencies of enabling laws, have made our practice of democracy to be less development-driven”. A weak legislature with high turnover of inexperienced legislators, according to him, will continue to hamper good governance in Nigeria. In a remark, Senate President, Ahmad Lawan was of the view that though section 88 of the 1999 constitution (as amended) provides that parliament shall expose corruption, inefficiency and waste, it did not equip it with the power of sanction.

During the 2023 budget defence, the Senate committee on Defence have had to suspend the budget defence of the Minister of Defence for his refusal to honour an earlier invitation by an ad hoc committee set up to investigate the state of affairs of the Nigerian Navy Flagship, NNS ARADU that has been grounded for many years now (Business Day, Nov. 2, 2022). As a retired General and one of the ‘kitchen’ Ministers of an unrepentant former military dictator in a hybrid democracy, the ad hoc committee could not do more than summon because they have no military forces or police of their own to effect the arrest of a former General that now controls the armed forces as Minister of Defence. Hence, they had to ambush him during his budget defence. This contrast with advanced democracies like United States, where in October, 2022,

a former White House Official, Steve Bannon bagged 4 months jail term plus \$6,500 fine for contempt of Congress (The Guardian, Oct. 21, 2022).

1.2 Statement of the Problem

One of the key components of democracy is legislative scrutiny of the executive, which promotes checks and balances, and transparency in the management of resources and implementation of laws passed by parliament (Abraham & Okungbowa, 2022). The Nigerian National Assembly comprising of the Senate and the House of Representatives, is required by the constitution to monitor, supervise, and enforce oversight on the executive branch of government. However, concerns regarding enforcement mechanism and attitude of legislators towards the whole concept of legislative oversight have been highlighted by many scholars.

The interplay between constitutional provisions and political will plays a significant role in shaping public policy outcomes. Various studies have examined the significance of Constitutional Provisions and Political Will in various contexts, shedding light on its impact and importance, pointing to the fact that strong constitutional provisions and political will is essential for effective governance and policy implementation. Empirical studies revealed that Political will which is understood as the determination and commitment of lawmakers to fulfill their oversight responsibilities to the nation seem be lacking in Nigeria.

Section 88 of the 1999 constitution empowers the legislature to expose corruption, waste and inefficiency, but weak enforcement mechanism has continued to undermine the effectiveness of this important function. For instance, when you expose wrongdoing and you cannot do anything about it, how does that solve the problem? If a lawmaker for instance, signs a warrant of arrest for someone who refused to appear before a committee of the National Assembly, he needs a federal police that is controlled by the executive to enforce the arrest. In addition, all actions of the legislature including resolutions are subject to judicial review (Section 4(8) CFRN).

1.3 Research Questions

This study is carried out to address the following research questions:

- a. To what extent did the provisions of the Nigerian constitution affect the performance of the 9th senate committee on defence?
- b. How does political will of the 9th senate committee on defence affect their oversight performance?

1.4 Objectives of Study

The broad objective of this study is to examine the effects of constitutional provisions and political will on legislative oversight in the senate committee of defence, 2019-2023. The specific objectives are:

- a. To examine the extent to which the provisions of the Nigerian constitution affect oversight performance of 9th senate committee on defence.
- b. To determine the extent to which political will of 9th senate committee on defence affect the performance of their oversight functions.

1.5. Research Hypothesis

- a. HO₁: The provisions of the Nigerian constitution have no significant effect on the oversight performance of the 9th senate committee on Defence.
- b. HO₂: Political will of the 9th senate committee on Defence has no significant effect on oversight performance.

1.6 Significance of the Study

This study is significant in so many ways. First, it will add to the existing body of knowledge in the field of legislative oversight. Second, findings would inform policy recommendations and reforms to strengthen legislative oversight mechanisms, promote positive attitude and integrity amongst legislators, thereby fostering good governance in the country. Third, the findings of the study would help international donors and civil society organizations to know

which areas to channel their resources in their effort to support the legislature to be more effective overseers. Lastly, the findings would help teachers and students of legislative studies and other researchers to understand the current trend in the field of legislative oversight in order to interrogate unexplored areas.

1.7 Scope of the Study

This study will focus exclusively on the oversight performance of the 9th Senate Committee on Defence of the National Assembly of the Federal Republic of Nigeria, 2019 – 2023. The study does not cover State Assemblies; and does not intend to go into comparison of the 9th senate with previous senate committees on defence.

1.8 Limitations of Study

Time factor has limited the ability of the researcher to use triangulation in methodology and population composition. For instance, the mix of qualitative and quantitative methods, and inclusion of Civil Society Organizations as part of population of study would have improved the quality of research findings.

1.9 Operational definition of key terms

Checks and Balances: The system of checks and balances is designed to guard against tyranny by ensuring that no one branch of government wields too much power. It also underscores the need for limits and control on the powers of each arm of government. It is designed to guard against tyranny by ensuring that no branch of government wields too much power.

Committee: A legislative committee as established under section 62(1) NASS; 103(1) SHOA of CFRN is a group of senators or members appointed by a unicameral or both Houses of a bicameral legislature to undertake certain specific task on behalf of the whole House.

Legislature: Refers to elected body that makes laws for a state. Also called parliament, congress or National Assembly, legislatures perform three key roles: representation, lawmaking and oversight of government. We have unicameral and bicameral legislature.

Legislative intent: Refers to the end sought to be achieved by a legislature in an enactment, for instance appropriation Act. Court often look to legislative intent for guidance in interpreting and applying the law, and wrong to be corrected may provide indications of the legislative intent.

Legislative Oversight: Legislative oversight is the review and evaluation of operations and general performance of the executive branch of government. It is the process by which a legislative body monitors, scrutinizes the activities of the other branch of government especially the executive to prevent abuse of power. It is a mechanism to perform checks and balances in a representative democracy. In Nigeria, oversight power is provided for under sections 88,89, 120-128 CFRN for NASS & SHOA respectively.

Oversight Capacity: Refers to the resources available to a legislative body. This include availability of skilled human, material and technical resources as well as adequate and timely information.

Oversight Effectiveness: Refers to the quality of oversight performance. The quality of democracy is affected by oversight effectiveness. When processes produce results that meet the needs and aspirations of the citizenry, then oversight is said to be effective. Oversight effectiveness is mediated by three intervening factors of oversight mandate, the resources available to a legislature, and political will.

Oversight Tools: Refers to the instruments or ways by which oversight is performed. In Nigeria the oversight tools available to the legislature are: public/investigative hearings, oversight visits/inspections, questions/interactive sessions, interactive meetings/sessions, bills referrals, resolutions and engagement with appropriation bill.

Political Space: Political space refers to the willingness of others in the political environment to cede or share political power with parliament (Hamalai, 2014). Most authoritarian and some

hybrid regimes grant little political space, while full and flawed democracies tend to permit more political space to the legislature.

Political Capital: Is the goodwill, trust and influence that politicians earn or build up with the public through the pursuit of policies that people like or respect. This goodwill can then be used to push through unpopular legislation without severely demanding their support or that of their political party, and also to win election. The goodwill is a kind of invisible political currency that lawmakers can use to mobilize the electorate or spend on policy reform. For the long term success of any politician, political capital is vital- without it their chances of winning elections or effectively leading the nation during difficult times is virtually impossible.

Political Will: Political will is the magic ingredient of human commitment to a cause which makes things work or make things happen; without which there is stagnation. When a political actor is willing to commit precious time, energy, funds and political capital to achieve change; when he/she is prepared to take risks and to incur opportunity costs to that end; we can safely say that he/she is exhibiting political will.

Separation of Power: The doctrine of separation of powers implies that there should be three separate organs of government with their separate sets of functions and powers. The presidential system of government being practiced in Nigeria makes provision for separation of powers, apportioning distinct powers and duties to the executive, legislative and judicial arms of government, (Section 4, 5 & 6 CFRN, 1999).

1.9 Organization of the Study

This dissertation is divided into five chapters. Chapter one presents the general introduction consisting of background to the study, statement of the problem, research questions and objectives, significance of the study, scope of study, outline of the study and operational definition of key terms. Chapter two delves into the world of other scholars by reviewing related works, providing insights into variables of interest and theoretical review. Chapter three

captures the methods and methodology employed in achieving the objectives of the study. Chapter four presents and analyze data collected from the field as well as discussion of findings. And lastly, chapter five wraps up the work with summary, conclusion and recommendations arising from the findings.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

Chapter two discussed the concepts of Legislature, legislative oversight, Constitutional Provisions on generic powers of the Nigerian legislature, Legislative Oversight effectiveness, political will and political Capital, Legislative Capacity, Oversight Tools, as well as challenges associated with oversight activities in Nigeria.

2.1 Conceptual Review

2.1.1 Concept of the Legislature

Imagined a country or world without laws? Anarchy, chaos, lawlessness, confusion will be the order of the day. As symbol of democracy, the legislature exists to make laws for peace, order and good government of the country, (Section 4(2) CFRN). The role of the legislature in any democracy cannot be overemphasized. In any democracy, the Legislative arm of government is the most important of the three arms because the legislature must exist for the constitution to be operational. This explains why in an event of military intervention, the legislature is sent packing, and the constitution is suspended to give way for martial law (PLAC, 2016). The Oxford English Dictionary defines Legislature as a deliberative assembly vested with the power of lawmaking for a country or state. It is a place for lawmaking or place where deliberations are made. Therefore, we can safely say that a legislature is a branch of government which performs function of lawmaking through deliberations (Anyaeibunam, 2021). It is the body charged with the onerous task of enacting, revisiting, amending and repealing laws for the country.

In any democracy, there are three arms of government- the Legislature, Executive and the Judiciary. The legislative arm is the institution vested with legislative powers of the country, (Salihu & Mohammed, 2020). The term legislature is used differently in different climes. In Nigeria, the legislature is called National Assembly. In the United States of America, it is known as Congress; while in Britain, it is referred to as the Parliament.

Whatever name it is called, the legislature exists for one purpose, to wit: to congregate, speak/debate, make laws for peace, order and good government of the country concerned (Section 4, 1999 Constitution of Nigeria as amended). Members of the legislature emerge through elections. Nigeria operates bicameral legislature- the Senate and the House of Representatives, comprising 109 Senators, three from each state of the federation on equal basis. And 360 House of Reps Members elected on basis of population. Members of the National Assembly are elected through general elections conducted by INEC (Salihu & Mohammed, 2010). As a federation, Nigeria has 36 states as federating units. States have unicameral Houses of Assembly as against the bicameral at the federal level. House of Assembly members are elected by people of the state through elections conducted by INEC. The statutory role of legislature is to make new laws and change or improve old ones. However, the role of parliamentarians in nation building goes beyond making laws as the legislature carries out many other important functions in our polity which include promoting good governance and development (ECA, 2012). The legislature makes the laws that defines rights and obligations of the people and of various arms of government, and defines rules of conduct of various actions and functions affecting the wellbeing of the collective good of the society. The legislature is an assemblage of the representatives of the people elected under a legal framework to make laws for the good of the society. It is also defined as “the institutional body responsible for making laws for a nation and one through which the collective will of the people or part of it is articulated, expressed and implemented” (Odalonu, 2020).

Members of Senate, House of Representatives and State Houses of Assembly are constitutionally required to present and defend the interest and concerns of their constituents during policy-making in their various Chambers or Assemblies. In Nigeria home-grown democracy, the representational function of parliament now include financial support, distribution of food, provision of employment, training of youth in vocations, provision of

facilities for small scale business for those that have been trained in one vocation or the other (Odalonu, 2020). Through its legislative oversight functions, the legislature holds the ministries, departments and agencies (MDAs) accountable to the public. Since it has the responsibility to appropriate and allocate funds to the various government institutions for their operations, it naturally follows that the legislature must oversee these institutions to ensure that the public get value for their money and ensure that these institutions are run in accordance with the laws of the land (PLAC, 2016). The oversight function of the legislature exists as a corollary to the law-making process. For instance, the legislature controls the executive in financial behaviour and appointments of key officials such as Ambassadors, Ministers/Commissioners amongst others (PLAC, 2016).

The legislature confirms nominations made by the Executive - As part of the oversight function of the parliament, it also scrutinize individuals nominated for appointment by the executive to represent the interest of government as either Ministers, Ambassadors, Chairmen of parastatals or boards, Head of security units, among others. This is to ensure appointments are done to reflect the principle of federal character as entrenched in the constitution, and to ensure that competent and capable individuals who can deliver the responsibilities of the office are appointed (PLAC, 2016). Under the constitution, the executive can only make nominations to major government positions as Ministers, Commissioners, Judges and Ambassadors. Until these nominees are screened and confirmed by the legislature they remain only designates. They can be deemed to have been validly appointed only after the approval of the legislature, usually the Senate or House of Assembly in the case of a state. In the United States for example the President must submit the names of nominees along with the assigned portfolios to the Congress to enable members determine the suitability of such persons into positions assigned to them. This is not the case in Nigeria where the President is at liberty to assign or re-assign portfolios after the confirmation by the Senate (Odalonu 2020).

In most countries, the legislature is always known to possess what is called the "power of the purse." This implies that the executive cannot legally make any spending without the authorization of the legislature (Salihu & Mohammed, 2020). For this reason, the law requires the executive to lay before the legislature (the National Assembly or House of Assembly) estimates of its proposed annual spending including sectoral breakdown for approval (PLAC, 2016). It is only after approval has been given that any valid withdrawal can be made from the Consolidated Revenue Fund of the federation or of a state. The same applies to supplementary budgets. It is through this power that the legislature, on behalf of the electorate, can hold the government and its officials accountable either for misappropriation, miss-application or outright misuse of public funds (corruption). Thus, the legislature is the custodian of national finance (PLAC, 2016). It exercises control over government by controlling the sources of income and the items of expenditure of government. The legislature approves the budget, provides direction for government by ensuring that government officials act within the ambit of enacted legislations, controls expenditure, approves treaties and agreements signed by the Executive arm, and above all has the power to recommend the removal of non-performing officials from office (Odalonu, 2020).

While the legislature works in synergy with the executive, it also provides a check on the executive in line with the spirit of checks and balances. Checks and balances ensures accountability and good governance. Generally, democratic legislatures have the following Powers and functions: authorizing expenditure, approving appointments, representation, and oversight. They enact laws by researching, writing, deliberating, and passing legislations. Members also represent their districts/constituencies and work to meet requests for help from constituents, as well as oversight function for the executive branch (Odalonu, 2020).

The legislature differs in composition from one system of government to another as well as in their mode of representation. For instance, in a parliamentary system, members of the

legislature are fused with members of the executive while in the presidential system; the legislature and executive are separated from other arms of government to promote checks and balances leading to good governance (Odalonu, 2020). In some countries like Nigeria, legislators are elected while in some other countries they are appointed. In spite of the differences in legislatures across the world, they have a common structural character that distinguishes them from other arms of government in a democracy. The common feature of legislature is that the relationship among members is not that of authority and subordination but that of equality of members since they derive their authority from being representatives of the people (Saliu & Muhammad, 2020). The legislature occupies a central role in any democratic setting. Of course, a government may exist without the legislature, but without the legislature, democracy is not possible. The existence of a parliament may not be synonymous with democracy, but democracy cannot exist without a parliament (Odalonu, 2020).

In Nigeria, Members of the National Assembly (NASS), are elected in a general elections for a term of 4 years with 360 members of the House Representatives representing federal constituencies, and 109 Senators in Senatorial Districts. Nigeria's 36 states each elect 3 senators, while the Federal Capital Territory (FCT) of Abuja elects 1. Representatives are elected based on population numbers with the largest states electing 24 members (Kano and Lagos), and the smallest only 5 (Bayelsa and Nassarawa). At the subnational level, each of the 36 states of Nigeria elects a House of Assembly (Damerest, 2021).

2.1.2. Committee System in Nigerian National Assembly

The legislatures all over carry out their legislative functions through various means which are usually specified in their standing orders and the constitution. One of the major mechanisms of carrying out legislative functions is therefore the committee system (Hamalai, 2014; Abraham & Okungbowa, 2022). Legislative committees are internal subunits of the legislature that

comprised of legislators and enjoying certain delegated authority (Martin, 2014). Section 62(1) of the 1999 constitution empowers Nigeria's National Assembly to create committees of special and general purposes as it may deem expedient (Nwosu, 2014). The only exception is the Joint Finance Committee which is the creation of Section 62(3) of the constitution.

In Nigerian National Assembly, there are three categories of committees: the special committees, the standing committees and the ad hoc committees (Nwosu, 2014). Committees play important role by influencing the content of legislation and holding the executive accountable through oversight activities. Hamalai, (2014) defined committee as consisting of group of Members of Parliaments established by parliament to carry out specific tasks or functions. The National Democratic Institute (NDI) described a committee as a small group of legislators who are assigned either on temporary or permanent basis to examine matters more closely than could the full chamber.

One of the advantages of the committee system is that, it permits parliament to maximize resources both in terms of human resources and time to scrutinize complex issues thoroughly than it would have been debated on the floor of the whole house (Nwosu, 2014). All over the globe Committees have been portrayed as the power house of the legislature as there is general trend across the globe of moving towards the use of the committee to perform legislative functions. This supports the view of Woodrow Wilson that Parliament in session is parliament on display, parliament in committee is parliament at work.

Committees allow members to discuss and exhaust issues informally, and to establish relationship with members from other political parties. It provides avenue for compromise and consensus building. It gives opposition parties opportunity to contribute to decision making process. Committee permits continuity of members, stability, and institutional memory and allow staff develop expertise and specialize in certain areas. Through public hearing,

committees allow stakeholder engagement and citizens' participation in policy development and decision making process.

Drawing from the Nigerian experience, the committee system seems to be weak due to influence from within the legislature itself, executive branch and political parties. Some scholars have argued that for a committee to be rated effective, over 50% of its key recommendations must be accepted by parliament at plenary, and government must give clear response of implementing the report (Nwosu, 2014). To this extent, to evaluate Nigeria's committee effectiveness, we must consider total number of recommendations accepted by the Houses of parliament in the final level at plenary. Other factors that affect committee effectiveness include party control, constitutional matters, standing orders etc. Other factors include low attendance in committees due to multiplicity of committees where a legislator belongs to between 5 and 10 committees- and delay in production of report by committee clerks. In the 9th Assembly for instance, the Senate has 69 standing committees, while the House of Representatives has 109. The standing orders of the two Houses specify number and composition of standing committees. As microcosm of the larger Legislative Assembly, committees are widely recognized as crucial to legislative deliberations (Mattson & Strom, 1995; Galloway, 1946). Because most Parliaments work to a greater or lesser extent through committees, parliament around the world are moving towards more reliance on committees to conduct their legislative business (Abraham & Okungbowa, 2022).

Criteria for legislative Committee performance include: efficiency that is whether the legislature organize itself and carry out its activities in ways that are reasonably efficient and dependable; Effectiveness is whether the legislature makes a difference - does the legislature has an impact on government and society? Relevance is whether the legislature makes the right difference, whether it tackles and influence important decisions; and does the parliament

operate according to acceptable standards of financial administration? And finally, does it comply with or operate according to the laws of the land and its own rules and procedures (Abraham & Okungbowa, 2022).

2.1.3 Senate Committee on Defence

The Senate committee defence is a standing committee of senate comprising at least 20 members appointed at the commencement of the life of the Senate under Chapter XIII Section 96(13) of the senate standing orders, 2022 (as amended). The committee has oversight mandate over the following: Ministry of Defence (MOD), Defence Headquarters (DHQ), oversight of joint military operations (Operation Hadin Kai (OPHK), Operation Safe Haven (OPSH), Operation Delta Safe (OPDS); Nigerian Defence Academy (NDA); National Defence College (NDC); Armed Forces Command and Staff College (AFCSC); Armed Forces Resettlement Centre (AFRC); Nigerian Military School (NMS); Defence Industries Corporation of Nigeria (DICON).

The committee also has jurisdiction over Ammunition depots, forts & arsenals; oversight of military application of nuclear energy; oversight of war graves, monuments memorabilia; oversight of strategic & critical materials necessary for common defence; oversight of scientific research & development in support of the armed forces; oversight of payment 7 promotions, retirement benefits & privileges of members of the armed forces; special oversight on disarmament & military dependents' education; oversight of peace keeping operations; oversight of veterans measures generally; oversight of compensation, vocational rehabilitation, and education of veterans; oversight of re-adjustment of servicemen to civilian life. The 9th senate committee on defence has about 20 senators with a Chairman and Vice Chairman; and about 17 committee staff headed by the clerk of the committee.

2.1.4 Concept of Legislative Oversight

Legislative Oversight is the process by which a Legislative body monitors, scrutinizes, reviews and evaluates the performance of the executive Arm of government or its agencies on a continuous basis to ensure effectiveness, efficiency and good performance (PLAC, 2016). “It is the exercise of constitutional powers by the legislature to check or control the exercise of constitutional powers of other arms of government, and more specifically to check or control the exercise of executive powers or to make the executive accountable and responsible to the electorate”. The use of the term “oversight” is traced to Prof Woodrow Wilson, a former US Vice President who espoused it as the “duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice and embody the will and wisdom of its constituents.” Legislative oversight therefore involves keeping an eye on the activities of government and public agencies, including the implementation of policy and legislation. This process brings to the knowledge of the public what the executive branch is doing, and affords the electorate the opportunity to determine whether elected representatives are serving the collective interest of the citizenry. The ultimate purpose of legislative oversight is to ensure transparency in governance. Transparency leads to accountability. And accountability begets good governance. The desire for good governance and need to checkmate the excesses of the executive arm of government has made the oversight role of the legislature crucial (Yusuf, 2020).

Legislative Oversight is the auxiliary powers (expressed or implied) of the legislative arm of government to check what other arms of government are doing in respect of the laws or budget they have passed and to be doubly sure that all is in line with legislative intent (Hamalai, 2014). After making a law, the main role of the legislature is to see whether laws are effectively implemented in accordance with legislative intent. Oversight responsibility is to ensure that the executive delivers on set targets and agreed priorities made in their strategic plans or annual appropriation Act which are approved by the legislature (Hamalai 2014). As argued by Barkan,

(2010), oversight is a democratic instrument that ensures both vertical accountability of rulers to the ruled as well as horizontal accountability of all other government agencies to the legislature. It is a mechanism to perform checks and balances in a representative democracy (Abraham & Okungbowa (2022). Madue, (2012), sees Legislative Oversight as the informal and formal, watchful, strategic and structured scrutiny exercised by legislatures in respect of the implementation of laws, the application of the budget, the strict observance of statutes and the constitution. Madue, (2012) stated that, legislative oversight aim to achieve the following ingredients of good governance: ensure transparency and openness of executive activities; hold the executive branch accountable; provide financial accountability; participation, equity and inclusiveness; free, independent and responsible media; effectiveness and efficiency; and more importantly to uphold the rule of law. By upholding the rule of law, legislatures are expected to protect the rights of citizens by monitoring and preventing obnoxious policies and potential abuse of power, arbitrariness and unconstitutional behaviour (Hamalai, 2018).

The overarching objectives of legislative oversight is to foster good governance by holding the executive accountable, while providing opportunity for evidence-based legislative decisions (Abraham & Okungbowa, 2022). Legislative oversight is hinged on the principles of checks and balances and separation of power (CFRN, 1999: Sections 4, 5 &6). The system of checks and balances is designed to guard against tyranny by ensuring that no one branch of government wields too much power. It also underscores the need for limits and control on the powers of each arm of government. This is because, power naturally corrupts and absolute power corrupts absolutely. The idea that a just and fair government must divide power between various branches has roots in the works of John Locke, Baron de Montesquieu and James Madison. For John Locke (quoted by Abraham & Okungbowa, 2022), “it is a great temptation to allow same persons who have powers to make laws to also exercise the power of executing those laws”. For James Madison (quoted by Abraham & Okungbowa, 2022), “the greatest difficulty

of framing a government that would administer over men is that, you must first enable the government to control the governed, and at the same time oblige it to control itself". According to him, "if men were angels, there would have been no need for government". In Nigeria, the constitution and standing orders of national and sub-national parliaments have given it extensive powers to exercise oversight over the executive. The reason for giving the legislature unlimited powers is to enable it make laws for good governance of the country and any matter within its legislative competence; and to expose corruption, inefficiency, or waste in the execution and administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it, CFRN, 1999: 4(2) & 88(2)(b).

Legislative oversight function is the supervisory responsibility that the legislature carries out on the executive and government Ministries, Departments and Agencies (MDAs) in order to ensure that they comply with legislative enactments as well as judiciously expending their budgets in order to effectively meet their policy mandates (Odalonu, 2020). It is the responsibility of the legislature to conduct investigations into the activities of MDAs. The oversight function of the legislature is to ensure maximum compliance with due process by the public office holders. This however, involves scrutiny and monitoring of duties of public office holders in ministries, departments, government agencies and parastatals (Odalonu, 2020). This function involves conducting investigation on the activities of public office holders to ensure there is compliance with their rule of engagement, (PLAC, 2016). But to make it more effective a standing committee responsible for relevant government ministry is usually mandated by other members to closely oversee, monitor and if need be, scrutinize the accounts and documents of government agencies in relation to the enabling legislations. A standing committee can also organize public hearings or summon government officials to appear before it to clarify certain issues or defend decisions already made, or proposals under consideration by the agency concerned (PLAC, 2016).

The legislature, through its oversight functions, holds MDAs accountable to the public. Since it has the responsibility to appropriate and allocate funds to the various government institutions for their operations, it naturally follows that the legislature must oversee these institutions to ensure that the public get value for their money and ensure that these institutions are run in accordance with the laws of the land (PLAC, 2016). The oversight function of the legislature exists as a corollary to the law-making process. For instance, the legislature controls the executive in financial behaviour and appointments of key officials such as Ambassadors, Ministers/Commissioners amongst others (PLAC, 2016).

There are five legal instruments that empower the legislature to conduct oversight over the executive, viz: Constitutional provisions, Legislative powers, Committee powers, statutory provisions and Legislative rules. Constitutionally, the legislature under the 1999 Constitution (As Amended) is vested with Appropriation power or power of the purse - power to consider, scrutinize and approve budget - Sections 59, 80, 81, 82, 120, 121 & 122 (CFRN). The legislature is also vested with investigative powers, Sections 88 and 128 - power to conduct investigation into activities of government agencies; and routine oversight powers (sections 85 125) to perform regular oversight activities either through committees or plenary (Abraham & Okungbowa. Sections 4 (1 &7) of 1999 Constitution (As Amended) vested Legislative powers on the legislature to make law for order, peace and good government of the country; while sections 62(1) &103(1) vested Committee oversight powers (Special Committees) on the legislature. Other constitutional provisions include powers in respect of Joint Finance Committee, sections 62(3); and Powers of Public Accounts Committees to examine the Auditor's General reports of audited accounts of MDAs and other independent semi-independent bodies, sections 85 & 125. Statutory powers of the legislature are contained under the Fiscal Responsibility Act (FRA), 2007, which establishes the Fiscal Responsibility Commission in line with section 88(1). And finally, oversight power of the Nigerian legislature

is guided by the legislative rules of the Senate and House of Representatives as well as standing orders of the various state Houses of Assembly. Oversight functions of the legislature aimed to expose corruption, inefficiency, waste in execution of and administration of laws within its legislative competence, as well as administration and disbursement of funds appropriated by it, CFRN: 88(2b). To achieve the above, the legislature uses the following oversight tools: public/investigative hearings, interactive meetings/sessions, oversight visits/inspections, questions/interactive sessions, Bill referrals, public petitions and resolutions. Coercive instruments available to the legislature for enforcement of oversight in case of infractions are - Summons, warrants and fines (Hamalai, 2018).

2.1.5 Legislative Capacity and Oversight Tools

Oversight capacity refers to the resources available to a legislative body. This includes availability of skilled human, material and technical resources as well as adequate and timely information (Abraham & Okungbowa, 2022). Oversight tools on the other hand refers to the instruments or ways by which oversight is performed. Most legislative assemblies have devised constitutional mechanisms and tools for oversight. The performance of this role is done through different channels (Hamalai, 2014). These include informal Member contacts with chief executives of MDAs and formal committee hearings. The number of oversight tools available to legislature varies from country to country or one form of government or another (Stapenhurst, et al. 2008). Pelizzo and Stapenhurst, (2004) posited that oversight tools can be grouped into two dimensions of time and domain. The time dimension view oversight tools as ex - ante or ex - post. Ex-ante oversight tools include legislative oversight carried out to forestall wrong doing or proactive oversight tools. They include those carried out before budget implementation, consideration of appropriation Bill, committee public hearing; while ex-post oversight tools include questions, interpellation and creation of committee of inquiries to deal with a problem. Oversight tools that are within the purview of parliament (internal oversight

tools) are questions, interpellation, public/investigative hearings, Public Account Committee hearing. While external oversight tools include ombudsman and Auditor-General of the Federation reports (Hamalai, 2014).

In Nigeria the oversight tools available to the legislature are: Briefs received from MDAs, Oversight visits to MDAs, oversight/project inspections, Questioning/interpellations, engagement with appropriation Bill, Public/Investigative hearings, and Public petitions, confirmation/screening of nominees for appointment, interactive sessions/meetings, interviews, Bill referrals and resolutions. While several scholars and practitioners regarded oversight effectiveness as an inevitable consequent of oversight capacity, other studies have suggested that the relationship between oversight capacity and effectiveness is mediated by several factors including the number of oversight tools available to a legislature. Whereas the consequences of effective oversight are clear and generally agreed to by most scholars, there is less agreement as to the relationship between oversight effectiveness and the availability of oversight tools (Pelizzo & Stapenhurst, 2012). Stapenhurst (2011); Pelizzo & Stapenhurst, (2012) after conducting a comparative study of parliamentary oversight in Ghana and Nigeria found that , although the two countries have comparable oversight tools, the efficacy of these oversight tools was much more better in Ghana than in Nigeria.

2.1.6 Legislative Oversight Effectiveness

Oversight effectiveness refers to the quality of oversight performance. The quality of democracy is affected by oversight effectiveness. When processes produce results that meet the needs and aspirations of the citizenry, then oversight is said to be effective. Oversight effectiveness is mediated by three intervening factors of oversight mandate, the resources available to a legislature and political will. In other words, quality of oversight is direct consequent of oversight mandate, resources available and political will of a legislative body.

The concern for efficiency and effectiveness makes it impossible for the whole legislative House to sit together and consider all the details necessary for the proper functioning of the legislature. This gave rise to the committee system where legislators are appointed into standing, special or ad hoc committees to consider matters that may be referred to it more closely. Oversight effectiveness therefore depends largely on composition and size of committees (Abraham & Okungbowa, 2022). How many members are in the committee? What is their competences or specialty?

One way of ascertaining the effectiveness of a committee is through qualitative and quantitative appraisals (Nwosu, 2014). While the qualitative method measures the level of knowledge of members, quality of committee reports as well as quality of contributions and discussions during engagement with the budget and MDAs; quantitative measures the number of reports by the committee, number of meetings held and attendance of members at committee meetings. In that light therefore, committee system can either be strong or weak. It is said to be strong when committees enjoy some measure of independence devoid of external influence and political pressures, and vice versa (Nwosu, 2014).

2.1.7 Political Will

The fact that a legislature has constitutional oversight powers does not necessarily translates to effective usage. The factors that determines whether a legislature will put its oversight powers to work is political will and political space (Hamalai, 2014). Political will is the magic ingredient of human commitment to a cause which makes things work or make things happen; without which there is stagnation, or at least, inaction. It is the strength and desire of parliaments to exercise and expand the powers of parliament (Hamalai, 2014). Since power gained in one place is usually lost in another, legislators leading efforts to expand the role of parliament may pay political costs inflicted by those who are afraid of losing their relevance or power (Hamalai, 2014).

When a political actor is willing to commit precious time, energy, funds and political capital to achieve change; when he/she is prepared to take risks and to incur opportunity costs to that end; we can safely conclude that he/she is exhibiting political will. As observed by Obi, (2009), legislatures would likely make effective use of oversight tools at their disposal only when they have the political will to do so. But since the willingness to perform such a function may be tied to the expectation of deriving material (electoral return) or symbolic benefit, Pelizzo & Stapenhurst (2014), are of the view that when legislators believe they might derive a benefit from effectively performing an oversight activity, they would muster the political will to perform it more effectively and become effective overseers.

2.1.8 Political Capital

Political Capital is the goodwill, trust and influence that politicians earn or build up with the public through the pursuit of policies that people like or respect. This goodwill can then be used to push through unpopular legislation without severely demanding their support or that of their political party, and also to win election. The goodwill is a kind of invisible political currency that lawmakers can use to mobilize the electorate or spend on policy reform. For the long term success of any politician, political capital is vital- without it their chances of winning elections or effectively leading the nation during difficult times is virtually impossible.

2.1.9 Political Space

Political space refers to the willingness of others in the political environment to cede or share political power with parliament (Hamalai, 2014). Most authoritarian and some hybrid regimes grant little political space, while full democracies tend to permit more political space to the legislature.

2.2 Powers of Nigerian Legislature

There are five legal instruments that empower the legislature to carryout lawmaking and oversight functions in Nigeria: Constitutional provisions, Legislative powers, Committee powers, statutory provisions and Legislative rules, viz:

2.2.1 Constitutional Provisions

The constitutional provisions relating to the generic powers of the Legislature in Nigeria are provided for in the country's grundnorm-CEFRN. The 1999 constitution (as amended) which ushered in the Presidential system of government on 29 May 1999 has vested the legislative powers of the federation in a bi-cameral National Assembly (Senate and the House of Representatives). The constitution has specified the scope and limitations of these powers. According to (Hamalai, 2018), the powers of the National Assembly can be classified into three as follows: Express Powers by the Constitution; Implied Powers arising from extension of the provisions of the constitution; Assumed Powers as a result of lacuna in the constitutional provisions.

A. Express Powers

Hamalai (2018) stated that express powers are those powers of the legislature that are specifically and directly provided for in the constitution. These powers, totaling 111 are itemized under the constitution and formed the basis for the exercise of all other powers of the legislature (Hamalai, 2018).

Section 4(2) provides for the general lawmaking powers of the National Assembly to make laws for the peace, order and good government of the federation or any part thereof with respect any matter included in the exclusive legislative list set out in part 1 of the Second Schedule to the Constitution , while section 4(7) contains a similar provisions in relation to the state house of assemblies with respect to matters contained i9n the concurrent legislative list and matters not provided in the exclusive or concurrent list (otherwise known as the residual list)

- i. Powers over public funds or power of the purse (Section 80 - 83, 120 – 123).

- ii. Power to alter the provisions of the constitution (Sections 8 & 9).
- iii. Power to create new states (Section 8(1a),
- iv. Ratification of treaties [Section 12(1)].
- v. Power to Oversight the Executive (Sections 143 & 188).
- vi. Oversight Powers of the legislature (Sections 88 - 89, 128 – 129).
- viii. Powers to regulate its own procedure (Sections 60, 101).
- ix. Appointment of Judicial Officers (Sections 130, 137, 149, 255, 260 & 265).
- x. Establishment of the Nigerian Police Force (Section 214).
- xi. Establishment of the Armed Forces (Section 217).
- xii. Removal of President from Office (Section 143).
- xiii. Confirmation of Appointment (Sections 147, 171).
- xiv. Confirmation of Appointment of Judicial Official Officers (Sections 231, 238, 250, 261, 266).
- xv. Removal of Judicial Officers (Section 292).
- xvi. Confirmation of Appointment and removal of Auditor-General of the Federation (Sections 86 & 87).
- xvii. Resignation of the President and Vice President (Section 306).
- xviii. Appointment and removal of Chairmen and members of Executive bodies (Sections 154, 157).
- xix. Deployment of Armed Forces (Section 5(4)(b)).

B. Implied Powers arising from extension of the provisions of the constitution

Implied powers are powers of the legislature though not expressly stated in the constitution are necessary or ancillary to the effective implementation of its express powers under the constitution (Hamalai, 2018). Example is the power of the legislature under Section 89 which empowers it to “procure all such evidence, written or oral, direct or circumstantial as it may

think necessary or desirable, and examine all persons as witnesses whose evidence may be material or relevant to the subject matter.” This provision implies the power of the legislature to order the arrest any person for the purpose of bringing him before the legislature (Hamalai, 2018).

Item 68 of the Exclusive legislative list empower the National Assembly to make laws on any matter incidental or supplementary to any matter mentioned elsewhere in the list. To this effect, the National Assembly has the implied powers to make laws on matters which though, not expressly captured in the exclusive list or elsewhere in the constitution, is incidental or supplementary to the effective implementation of the matter over which the National Assembly is empowered to make laws under the constitution (Hamalai, 2018).

In the same manner, the constitution confers on the legislature the power to ratify appointments made by the executive. This power carries with it the implied power of the legislature to recommend the removal of any such person whose appointment was ratified by them (Hamalai, 2018). By parity of reasoning therefore, the power of ratification of appointment by a body or institution ipso facto implies the power to recommend the removal such person whose appointment was ratified by the body or institution (Hamalai, 2018).

C. Assumed Powers as a result of lacuna in the constitutional provisions.

Assumed powers are rights claimed by the legislature which, though not tenable as rights, are not unconstitutional, since there is no provision in the constitution prohibiting them (Hamalai, 2018). For instance, until the question of who determines the salaries and emoluments of members of the National Assembly was resolved in Section 70 of the 1999 Constitution, in 1979 when the constitution was silent about it, the National and state Assembly then took it upon themselves to determine the salaries of principal officers of their respective assemblies (Hamalai, 2018).

2.2.2 Legislative Powers

Sections 4 (1 &7) of 1999 Constitution (As Amended) vested Legislative powers on the National and state assemblies to make law for order, peace and good government of the country and the various states of the federation. It is also vested with Investigative powers, Sections 88 and 128, power to conduct investigation into activities of government agencies and routine oversight powers (sections 85 & 125) to perform regular oversight activities either through committees or plenary (Abraham & Okungbowa, 2022).

2.2.3 Committee Powers

Sections 62(1) & 103(1) CFRN vested Committee oversight powers (Special Committees) on the legislature. Other provisions include powers in respect of Joint Finance Committee, sections 62(3); and Powers of Public Accounts Committees to examine the Auditor's General reports of audited accounts of MDAs and other independent semi-independent bodies, sections 85 & 125 CFRN. Oversight functions of the legislature aimed to expose corruption, inefficiency, waste in execution of and administration of laws within its legislative competence, as well as administration and disbursement of funds appropriated by it, Section 88(2)(b) CFRN.

2.2.4 Statutory Provisions

Statutory powers of the legislature are contained under the Fiscal Responsibility Act (FRA), 2007, which establishes the Fiscal Responsibility Commission in line with section 88(1) CFRN.

2.2.5 Legislative Rules

Oversight power of the Nigerian legislature is guided by the legislative rules of the Senate and House of Representatives as well as standing orders of the various state Houses of Assembly.

2.3 Challenges of Oversight in Nigeria

Challenges of oversight in Nigeria as identified by Policy and Legal Advocacy Centre (PLAC) include the following:

2.3.1 Lack of solid Legislative Framework for Oversight

Whenever oversight functions are carried out, most often than not, a resolution to that effect will be passed. However, it should be noted that resolutions could be ignored by the executive as they are not laws hence not binding. Thus it will be appropriate if there is legislation making it mandatory for the executive to respond to resolutions from the legislature. The constitutional powers of parliament to oversee the affairs of MDAs in Nigeria will only make sense if Sections 88 and 89 of 1999 Constitution are amended to oust the jurisdiction of the court on any matter that concerns resolutions on oversight functions of the legislature.

2.3.2 Personal interest and ambition of legislators

It has often been said that a good number of members of National Assembly and state assemblies pursue selfish interest that inhibits them from insisting on watertight oversight. Many of them focus on getting contracts from leadership of assemblies and chief executives of MDAs their committees are supposed to oversight. This pursuit personal interest serves as challenge to the discharge of their oversight functions, thereby making them to easily compromise when it comes to contributing meaningfully to debates on the floor of the house. At times, some members resort to absenteeism to avoid voting on crucial matters of national interest.

2.3.3 Corruption

Corruption amongst legislators and officials of MDAs constitute a problem to effective oversight.

2.3.4 Executive interference

The executive branch in Nigeria is notorious for interfering with legislative duties through inducement. Sometimes they do this by ensuring that their cronies get elected into leadership

positions in the various houses. The effect of this interference is the sacrifice of good governance on the platter of personal and political interest.

2.3.5 Underdeveloped democratic culture

Democratic culture is the desire and ability of citizens to participate actively and freely in decision making. It captures the extent to which citizens prefer democracy over other forms of government. The fact that Nigeria's democracy is young is significant factor against effective oversight. It is characterized by lack of commitment to rule of law, human rights, lack of fair and equitable access to resources, lack of respect for diversity and muzzling of the press and freedom of expression. Nigeria is a hybrid democracy that operates a powerful presidential system modelled after former military dictatorships notorious for repression, and intolerant of dissenting voices, combining autocratic features with democratic principles (Zabadi, 2006). This contrast have combined to give the country a mixed-democratic coloration in which the government simultaneously hold political repressions and regular elections (EIU, 2022).

2.3.6 Capacity of committee staff

There is lack of relevant expertise among committee clerks and other support staff. In most cases committee clerks are not retain for long period as is the case of most advanced democracies like the US where clerks serve 20-30 years in one committee; sometimes till they retirement. This allow for experience, expertise, specialization required to guide legislators. In Nigeria, committee clerks hardly spend five years in a committee. This affect specialization and institutional memory needed to direct committee chairmen and their members.

2.3.7 Inexperience and High turnover of legislators

Lack of experience occasion by high attrition rate of lawmakers affect oversight performance.

2.3.8 Ethnic loyalty

Often times, legislators who belong to a particular ethnic group are reluctant to indict members of the executive who belong to the same ethnic group with them. This is because they put their ethnic interest above national interest.

2.4 Understanding Nigeria's Political Environment

Historically, Nigeria experienced protracted military interventions that became major sources of insecurity rather than human security (Zabadi, 2006). Six years after Independence, the first military interregnum (1966 bloody military coup) ushered in Gen JTG Aguiyi-Ironsi who ruled for only six months and was overthrown and replaced by Gen Yakubu Gowon. During Gen Gowon regime (1966-1975) and Gen Murtala Mohammed/Obasanjo regime (1975-1979), civil military relations were not that reactionary and hostile (Zabadi, 2006). This is because the country had just come out of a 30-month civil war, which resulted from regional and ethnic politics and the inability of the first republic politicians to manage the political independence gained from Britain on 1st October, 1960. Therefore the military was needed to heal the wounds of the civil war and to re-unite the country through its policy of reconciliation, reconstruction and rehabilitation, and infrastructural development. Gen Obasanjo supervised the transition to the second republic and handed over to Alhaji Shehu Shagari in 1979.

The Shehu Shagari-led second republic was overthrown in a bloodless military coup and succeeded by Gen Muhammadu Buhari (1983-1985). Buhari promulgated Decree No. 2, which gave the Federal Military government power to detain any Nigerian for up to three months without charges; as well as outlawed civil protest and workers' strike. In 1984 alone, over 150 people including Journalists, Fela Kuti, Tai Solarin were reportedly detained according to Amnesty International. There was also the infamous Decree No. 4, the protection against false accusations, described as the most draconian, and repressive press laws, which became a nightmare for Journalists and media houses in Nigeria (Zabadi, 2006).

Gen Babangida regime (1985-1993) was characterized by draconian laws and poor civil-military relations especially at the latter part of the regime. His regime was the longest in peacetime and typified the military dictatorship of the 20th century. With the prolonged and failed political transition programme, the annulment of the June 12, 1993 presidential election purported to be the freest and fairest in the country. The regime lost credibility internally and externally as a result of arbitrary arrests, detention, torture and widespread human rights abuses. Because of internal and external pressure, Babangida hurriedly handed over power to an alien interim president Earnest Shonekan in August 1993, ostensibly to placate the Yoruba nation for refusing to recognize MKO Abiola as the winner of the June 12, 1993 presidential elections. Gen Abacha (1993-1998) in a palace coup overthrew Shonekan in November, 1993. Abacha was known for authoritarian rule, brazen human rights abuses and high level of corruption in the annals of the country. The regime was reputed to have had the worst human rights, as there were cases of intimidation, arbitrary arrests, and extra-judicial murders including the killing of opposition members. Abacha was succeeded by Gen Abdulsalami Abubakar (1998-1999). Being a child of necessity, the regime only tried to redeem the battered image of the military. With pressure from the international community, the regime had no option than to put together a workable 9-month transition that ushered in the Fourth Republic's 1999 constitution.

It is therefore no wonder that Nigeria operates a hybrid democracy and a powerful presidential system modelled after former military dictatorships notorious for repression, and intolerant of dissenting voices, combining autocratic features with democratic principles (Zabadi, 2006). Hybrid democracy is a mixed type of political regime that is often created as a result of incomplete transition from an authoritarian regime to a democratic one or vice versa. Hybrid democratic Nigeria is characterized by electoral fraud, muzzling of the press and opposition, widespread corruption, weak rule of law, and lack of proper functioning of government (EIU,

2022). This contrast have combined to give the country a mixed-democratic coloration in which the government simultaneously hold political repressions and regular elections (EIU, 2022). Since return to democracy and the promulgation of the 1999 constitution, Nigeria has been struggling to establish an accountable, democratic control over the defence sector to improve civil-military relations as well as defence sector governance (Zabadi, 2006). The constitutional order has been consolidated by the deepening democratic processes through which three successive governments have changed political leadership from at least two political parties in the last 23 years. Therefore, any discussion of the effectiveness of democratic oversight of the defence sector in Nigeria must be properly situated within the country's historical experience. On assumption of office on 29 May, 1999, President Olusegun Obasanjo in his inaugural address pledged to return the military to barracks, enthrone a stable democracy and an accountable military, beginning with fundamental reforms of the armed forces to understand its role in a democratic set-up, and the need to be guided by the constitution. Zabadi (2006) explained that the reform entails the military consciously subjecting itself to democratic control as follows:

- i. Accepting the constitution as the sole and supreme document defining the role of the armed forces;
- ii. Accepting elected civilian president as the Commander-in-Chief of the armed forces and the supremacy of the elected officials of state over appointed officers all levels;
- iii. Accepting civilian leadership of the Ministry of Defence and other strategic establishment;
- iv. Accepting civilian or legislative oversight and decision-making over the military budget;

- v. Accepting that decisions regarding the goals and conduct of military operations must serve the political and strategic goals established by the civilian authority;
- vi. Accepting the application of civilized principles of military investigation and trials, and;
- vii. Accepting the right of civil (Supreme Court) authority to review any decisions taken by military court Martials.

This, according to Zabadi, (2006), is because civilian supremacy over the military entails more than simply minimizing military intervention in politics; but requires establishing the primacy of elected civilian authorities (executive and the legislature) in all areas of policy, including the formulation and implementation of National defence policy. Some of the specific armed forces reforms introduced by Obasanjo include re-professionalization and training through partnership with US-based Military Professionals Resources International (MPRI); funding and budgeting which involves the military defending its budget before the National Assembly, and the National Assembly exercising oversight function over defence matters (Zabadi, 2006). All these efforts amongst others, is geared towards eliminating the military egoistic ethic which regards the civil society as “bloody” and “unequal”. The reform is also expected to reduce cost of military expenditure and increase transparency in defence policy making and implementation; expose the complexity and or secrecy in military budget and enhance greater parliamentary support and control of the military (Zabadi, 2006).

2.5 Theoretical Review

2.5.1 Principal Agent Theory

The Principal-Agent theory also called the Agency theory came to being around 1970s, from the combined disciplines of economics and institutional theory. It explains the conflict that often arise when one person or group, known as the ‘agent’ is representing another person or group, known as the ‘principal’. According to Gailmard (2012), public accountability requires

a specification of who is accountable to whom, which is a core ingredient of the principal-agent theory. It typified the legislature acting as ‘agent’ on behalf of the citizens ‘principals’. The executive must account to the legislature (delegated agent) which represent citizens, through a performance of oversight function over the executive (Pelizzo & Stapenhurst, 2012).

The theory pre-supposes a relationship between a principal and an agent. The legislature are elected by the citizens (principals) to supervise the implementation of policies that have direct bearing on their lives as outlined in their manifesto. The legislative Assembly being the representative of the citizens (principals), through committees act as delegated agents, to investigate and examine matters more closely (through public hearings, investigative hearings, questions, oversight visits) on behalf of the citizens. Taking a cue from the principles and elements inherent in the Principal /Agent Theory as expressly stated above, it is worthwhile to note that Legislators and electorates are in a contractual understanding in a democratic setting in which the Legislators are voted into power to represent the interest of the electorates (Nasir, 2014).

In line with the principles and elements of the theory, the Legislators (Agents) owes the electorates (principal) duties of loyalty, obedience and reasonable care in representation, law – making and oversight function, which are the statutory duties of the Legislators within the context of the constitutional mandate. The Legislators must not be self – seeking and corrupt and avoid such acts that may lead to conflict of interest in the discharge of their official duties. Also, Legislators need to confine themselves within the principle that guides their conduct.

2.5.2 Partisan Theory

A partisan is a committed member of a political party. In multi-party system, it is used to refer to people who strongly support their political party’s policies and are reluctant to compromise with political opponents (Runciman, 2018).The Partisan Theory points to the fact that committees are creation of political parties which maintain control over policies. The majority

party members with more seats may collude among themselves and disregard the wishes of minority parties (Groseclose & King, 2000). The influence of committees exist only when they serve the aims of the majority parties. Snowberg et al. (2007) confirms that majority parties tend to control the agenda and use their power to influence the approval of policies. It can be concluded that the number of seats that the party has in parliament has an impact on the decisions and resolutions taken, thereby impacting on the effectiveness of oversight.

2.5.3 Distributive Theory

Another relevant theory to this study is the Distributive Theory. According to Distributive theory, legislative committees are created to assist members to secure spending for their constituencies (Wang, 2013). He explains that there is a need for accountability to citizens by both the executive and the legislature. Financial and non-financial oversight over the performance of the executive and the legislature must be carried out. Legislative oversight must focus on accountability, transparency, good governance and much-needed feedback to communities (Wang, 2013). The provision of adequate timely and correct information to communities is anticipated to result in informed citizens and to encourage their involvement in the business of government.

2.6 Empirical Review

Review of existing literatures on legislative oversight generally showed positive relationship between oversight capacity and oversight effectiveness. Pelizzo & Stapenhurst (2012) argued that oversight effectiveness is consequent of oversight capacity. Other studies suggested that oversight effectiveness is affected by constitutional mandate and the availability of resources, the political will of lawmakers to make use of oversight tools (Pelizzo & Stapenhurst, 2014), and the place of contextual factors which oversight tools interact with (Stapenhurst, 2011).

While several scholars and practitioners regarded oversight effectiveness as an inevitable consequent of oversight capacity, other studies have suggested that the relationship between oversight capacity and effectiveness is mediated by several factors including the number of oversight tools available to a legislature. Pelizzo & Stapenhurst (2014); Stapenhurst (2011) conducted a study on Comparative analysis of Parliamentary Oversight Tools in Ghana and Nigeria, and found that although in contrast the two countries have comparable oversight tools, the efficacy of these oversight tools was much more in Ghana than in Nigeria. These studies have consistently demonstrated that availability of oversight tools, human and material resources are crucial to effective oversight performance. Pelizzo & Stapenhurst (2014), did a study on “Oversight Effectiveness and Political Will: Some Lessons from West Africa” to establish the relationship between legislative capacity and availability of oversight tools. The study found that only political will can guarantee effective oversight and not just availability of capacity and oversight tools. According to them, it takes political will to put capacity and oversight tools into effective use. Pelizzo & Stapenhurst (2012) undertook a research on “Parliamentary Oversight Tools: A Comparative Analysis”. The study established that the effective use of legislative oversight tools depends on the mandate of the legislature, that is what and how much a legislature is entitled to do.

Similarly, Stapenhurst, Olaore, & Jacobs (2016) carried out a study to assess oversight mandate of Nigerian National Assembly in the light of oversight tools, capacity and political will. The findings showed that the National Assembly has sufficient oversight tools, but lacks the political will to effectively oversight the executive. In the same vein, Notshulwana & Lebakeng (2019) in their study ‘Constraints and Prospects for Legislative Oversight in Emerging African Democracies: The Case of South Africa’, examined the constraints and prospects for legislative oversight in emerging African democracies. The study found among other things that availability of oversight tools are not sufficient condition for effective oversight in a system

characterized by executive dominance. They argued that legislative capacity and political will are most critical in determining oversight effectiveness.

Pelizzo & Stapenhurst (2012) examined “Legislative Oversight and Quality of Democracy” to ascertain whether quality of democracy is affected by the ability of parliament to perform its oversight functions effectively. The study aligns with views of International donor organizations on their position that oversight effectiveness is important for democracy to work well, but however of the opinion that focus should be shifted from strengthening capacity to ensuring that capacity when acquired is put to good use.

In their study of Parliamentary Oversight of the Security Sector Ghana with the view to contributing to Ghana emergent parliamentary oversight of the security sector in preventing insecurity and promoting stability, Aning & Larty (2009) found that though democratic oversight of Ghana security sector has improved, the legacy of military control persists, making the parliamentary arm weak in relation to the executive arm, with politicization of key oversight accountability institutions which has undermined an already weak resource base of parliament.

In a related endeavor, Ebo, & N’Diaye (2008) in their study of ‘Parliamentary Oversight of the Security Sector in West Africa’ examined challenges and opportunities for parliamentary oversight of the security sector in West Africa. The Study found that while West Africa parliaments generally have the authority for oversight of security sector, they often lack the necessary ability and attitude to do so. They have provided weak oversight of the military budgets and shied away from investigating major security incidents. The paper further argued that though there are some progress, West African states have a long way to go to establish adequate parliamentary oversight of the security sector.

Fashagba (2009) in his study of ‘Legislative Oversight under the Nigerian Presidential System’, examined the extent to which the Nigerian legislature, characterized by infrequent appearance on the political scene, largely dominated by the executive arm, has performed its oversight role.

He found that the Nigerian legislature did not perform well due to executive interference, internal conflict, inexperience and high rate of turnover. Nwagwu (2014) in his study 'Legislative Oversight in Nigeria: A Watchdog or A Hunting Dog', investigated the activities of the legislature on its legislative oversight functions and the effectiveness of this organ in ensuring and sustaining good governance in Nigeria. Findings revealed that legislative oversight, a critical aspect of the functions of the legislature have been severally compromised and often misuse as a hunting dog.

Aliyu, Ikedinma & Bello (2018) in their study 'Analysis of the Challenges of Legislative Oversight and Good Governance in Nigeria', examined the constitutional provisions for legislative oversight of National Assembly. The study found that oversight function of National Assembly is hampered by corruption, lack of transparency and accountability, party politics, self-serving interest, absence of trust, and frosty executive-legislative relations. Omotoso & Oladeji (2019) carried out research on 'Legislative Oversight in the Nigerian Fourth Republic' to determine the effectiveness of oversight performance of Nigerian legislature in the fourth republic. Study identified dysfunctional democratic culture, executive interference, and political culture of corruption as factors militating against effective oversight in the fourth republic. Similarly, Nwogwugwu & Ishola (2019) conducted a study on 'Legislators and their Oversight Functions in Policy' Implementation in Nigeria', with the view to examine the dynamics of the legislator's performance of oversight functions in Nigeria. The study established party interference, corruption and personal interest of lawmakers as responsible for the inability of legislators to deliver on their oversight mandate.

Egobueze, & Anthony, (2020) undertook a survey of 'Oversight Functions of the Legislature as an Instrument of Accountability in the Rivers State Local Government System'. The study examined the role of legislative councils in entrenching accountability and transparency in Local Government system in Rivers State. The survey identified weak institutional capacity,

overbearing influence of state government and corruption in local government administration as major hindrance to effective oversight. In the same vein, Ejumudo & Ikenga (2021) carried out a research on ‘The Problem of Legislative Oversight in Nigeria: A Study of Delta State’ The study examined the problem of legislative oversight functions in Nigeria using Delta State, and revealed a significant relationship between politics of trade-off and pay-off between the legislature and executive. It also discovered poor commitment to oversight mandate and entrenched culture of political corruption in the system as factors responsible for ineffective oversight performance.

Fagbadebo (2018) in a study on ‘Constitutional Requisites for Legislative Oversight in Promoting Good Governance in South Africa and Nigeria’, examined the effectiveness of requisites for constitutional provisions in respect of promotion of accountability and good governance in South Africa and Nigeria. The study argued that the drafters of the constitutions of the two countries have made sufficient provisions for the regulation and control of the executive and legislative activities in a manner that could guarantee effective service delivery. It however revealed that the lawmakers in the two countries simply lacked the capacity to harness the provisions for intended purposes. This weakness according to the author is responsible for the worsening governance crises in the two countries. The submitted that in view of failure of the system in the checks and balances, the people have to devise another strategy of holding the government accountable in the face of seeming collaboration between the executive and the legislature to perpetuate impunity in high places.

Igwe-Omoke, Abdullahji & Nkweakwu (2020) in their study ‘Legislative Oversight and Enforcement of Budget Implementation in Nigerian Army’ examined the effect of legislative oversight on budget implementation in the Nigeria Army. The study identified massive corruption in implementation of recurrent and capital expenditure of the Nigerian Army (one of the component of the defence sector). However, the study advertently or inadvertently

omitted to show whether the appropriate committees exhibited political will by activating the coercive instruments of oversight to enforce compliance with the appropriation Act. The study did not also highlight the role of other internal and external oversight stakeholders like the mass media.

Preponderance of the literature reviewed in this study especially those on executive-legislative relationships and legislative oversight effectiveness in Africa (Stapenhurst, 2011; Pelizzo & Stapenhurst, 2014; Obi, 2019; Ebo & N'Diaye, 2008; Stapenhurst, Olaore, & Jacobs, 2016; Notshulwana & Lebakeng, 2019), have consistently showed that political will is the most important condition for ensuring that legislatures perform their oversight functions effectively. Pelizzo & Stapenhurst (2014) are of the opinion that if International donors and Civil Society Organizations want to promote system of accountability and effective oversight, they need to change their approach. They opined that donor agencies should be less concern with capacity and number of oversight tools at the disposal of legislators and concentrate on ensuring that legislatures have or develop the political will to perform their oversight functions effectively (Pelizzo & Stapenhurst, 2014).

Obi (2009) in his study “.....Explaining the Role of the Nigerian Political Environment on Performance of Legislative Oversight”, argued that legislatures would likely make effective use of oversight tools at their disposal only when they have the political will to do so. Pelizzo & Stapenhurst (2014) in a similar study “Tools for Legislative Oversight: An Empirical Investigation” are however of the view that since the willingness to perform such a function may be tied to the expectation of deriving material (electoral return) or symbolic benefit, legislators would probably be willing to muster the political will to perform it effectively. While this study is in agreement with Obi (2009) and Pelizzo & Stapenhurst (2014) in respect to the importance of the political environment, expectations of material or symbolic benefits, legislative capacity, oversight tools and political will in ensuring oversight effectiveness, it

however disagrees with their views that political will is the most important requisite for effective legislative oversight in favour of constitutional provisions.

2.7 Gap in Knowledge

The Nigerian National Assembly comprising of the Senate and the House of Representatives, is required by the constitution to monitor, supervise, and enforce oversight on the executive branch of government. However, concerns regarding enforcement mechanism and attitude of legislators towards the whole concept of legislative oversight have been highlighted by many scholars. The interplay between constitutional provisions and political will plays a significant role in shaping public policy outcomes. Various studies have examined the significance of Constitutional Provisions and Political Will in various contexts, shedding light on its impact and importance, pointing to the fact that strong constitutional provisions and political will is essential for effective governance and policy implementation.

Empirical studies revealed that Political will which is understood as the determination and commitment of lawmakers to fulfill their oversight responsibilities to the nation seem be lacking in Nigerian parliament. While political will is important in utilizing available resources to oversight the executive, the 1999 constitution has limited the extent to which the legislature can exercise its oversight powers.

2.8 Theoretical Framework

2.8.1 Doctrine of Separation of Powers

The doctrine of separation of powers as it is understood today came largely from the work of the French Jurist Baron De Montesquieu in his book 'The Spirit of Law' (Chapter 11), who studied and expanded the work of John Locke. He was concerned with the preservation of

political liberty of the citizens. According to him, political liberty is to be found only when there is no abuse of power. He averred:

“Political liberty is to be found only when there is no abuse of power. Experience shows that every man invested with power will abuse it by carrying it as far as it will go...to prevent this abuse, it is necessary from the nature of things that one power should be a check on another...when the legislature, executive and judicial powers are united in the same person or body...there can be no liberty...again there is no liberty if the judicial power is not separated from the legislative and executive... there will be an end of everything if the same person or body whether of the nobles of the people, were to exercise all three powers”.

The 1999 Constitution of the Federal Republic of Nigeria recognizes the doctrine of separation of powers. While section 4 vests the legislative powers of the federation on the National and state houses of assembly; sections 5 & 6 vest the executive and judicial powers of the federation on the president and governors; and the courts established by the constitution respectively. Section 147(4) provides that: a member of the legislature appointed as a minister of the federation must vacate his seat in the legislature. This is consistent with the decision of the court of Appeal in *Hon. Abdullahi Maccido Ahmed Vs. Sokoto State House of Assembly and Another*\, the court per Salami JCA held inter alia that; the doctrine of separation has three implications:

- That the same person should not be part of more than one of the arms of government;
- That one branch should not dominate or control another arm. This is particularly important in the relationship between (the executive and the courts);
- That one branch should not attempt to exercise the function of the other...

The tripartite division of powers is necessary for the purpose of achieving balance of authority and power for the smooth running of government at any level. However, the doctrine of separation of powers is not without exception. The exceptions to the strict application of the theory of separation are known as checks and balances. This is also provided for under the constitution for the purpose of checking the excesses one arm of government might indulge in, claiming constitutional protection.

The principle of Separation of power is the major ingredient of democracy which guarantees independence of the three arms of government. Essentially, the legislature as a symbol of true democracy, makes law which the executive is under obligation to implement. The Judiciary is legally called upon in the determination of civil rights and obligations to interpret the laws. This system of government understands from the onset that powers may be abused and therefore introduced a system that guarantees checks and balances amongst the three arms of government. Therefore, through the power of interpretation, the courts can declare laws made by the legislature unconstitutional, null and void, and of no effect whatsoever (Abraham & Okungbowa, 2022). The legislature holds the power of oversight over the execution and administration of laws by the executive. The executive holds the power of coercion and implementation of laws and can as well use these powers to call the legislature and the judiciary to order (Nwagwu, 2014).

2.8.2 Justification of the adoption of Doctrine of Separation of powers

In discussing the legislative oversight powers and functions of the legislature, the most appropriate theory is undoubtedly the doctrine of Separation of Powers. Though not expressly mentioned anywhere in the Nigerian constitution, the doctrine of separation of powers is what makes the difference between presidential and parliamentary system of government. As mechanism for performing checks and balances, you cannot enforce legislative oversight

without a clear separation of governmental powers, as the doctrine is defeated when there is fusion of power between the executive and the legislature.

To the extent that the overriding objective of legislative oversight is to prevent exercise of arbitrary powers, eliminate corruption, inefficiency and waste in the management of public funds and implementation of laws enacted by parliament, the theory of Separation of powers is most appropriate for this study.

CHAPTER THREE

RESEARCH METHODOLOGY

This chapter discussed the step-by-step methods and procedures employed and the justification for the adoption. It also highlights the research strategies and spell out the population of study, sample size and sampling techniques, sources of data, method of data collection, research instrument, validity, reliability of research instrument and ethical consideration.

3.1 Research Design

The choice of a research design depends on the purpose of study, nature of data required as well as limitations of the researcher (Obadan, 2012). To address the research objectives, this study embraced survey design, employing quantitative methods with data source being primary data. Survey design is a systematic method of gathering information from a sample of entities for the purposes of constructing quantitative description of the attributes of the larger population of which the entities are members (Owens, 2002). The choice of this design was

informed by its ability to gather information not available from other sources and unbiased representation of the population of interest (Owens, 2002).

The use of questionnaire is appropriate because it can reach many respondents within short period of time, and offers a sense of confidentiality and sufficient time for the respondents to answer the questions and it is a more objective method compare to others (Owens, 2002). Other reasons for the preference of survey design are that it is inexpensive, it is useful when dealing with a large population, they are practical solutions for data gathering, it provides opportunity for scalability, and allows data to come from multiple sources (Owens, 2002).

3.2 Study Area

This research is conducted in Three Arms Zone, Central Business District, Abuja-FCT; the seat of government of Nigeria that houses the National Assembly. The National Assembly comprised legislators, bureaucracy and legislative aides.

3.3 Population of Study

The population for this study is National Assembly comprising Senate of the 9th Assembly, Management staff, non-Management staff and Legislative Aides. There are 109 Senators in the Senate, 618 Management staff, 2,409 non-Management staff and 3,017 legislative Aides, yielding a total of 6,153 as can be seen in Table 3.1.

Table 3.1 Population Size

1. Senators	-	109
<hr/>		
2. Management Staff	-	618
3. Non- Management Staff	-	2,409
4. Legislative Aides	-	3,017
Total		6,153

Source: National Assembly Nominal Roll (2023)

3.4 Sample Size and Sampling Technique

A Sample is the number of participants or observations included in a study. A sample size, therefore, is the minimum size needed to estimate the true population proportion with the required margin of error and confidence level (Srivastav, 2023). It is the portion of the population that enables us to draw inferences about the population.

Because the population is heterogeneous, stratified sampling technique was adopted to divide the total population of 6,153 into four strata as shown in table 3.1 above: Senators 109, Management staff 618, Non-Management staff 2,409, and Legislative Aides 3,017 in the National Assembly. When a population is heterogeneous (in terms of job/social status, age, educational qualification, experience), it is divided into groups so that there is homogeneity within the group and heterogeneity between the groups. The purpose of stratification is to ensure that each stratum in the sample and to make inferences about specific population sub-groups. And since simple random sample may not provide accurate results, purposive non-probability sampling technique was adopted to allow the researcher use his discretion or judgment to select participants who would aid in achieving the aims and objectives of the study. In view of the finite nature of the population, application of statistical formula became imperative in determining the sample size. First, **Taro Yamane formula** was used to determine the desired sample size that would be used to calculate the proportionate sample size for each stratum.

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

Where;

n = corrected sample size

N = Population size

e =Margin of error (MOE)

e = 0.05 based on the research condition

Given that:

Population, N = 6153

Confidence level = 95%

Margin of error, e = 5% or 0.05

$$n = N \cdot 1 + 6153 (0.05)^2$$

$$n = N \cdot 1 + 6153 (0.0025)$$

$$n = N / 1 + 15.38$$

$$n = N / 6153 / 15.38$$

$$n = 375.6$$

$$= 376$$

To get at least the minimum sample size determined using the Yamane formula, we added 10% of 376 to it to provide for non-response (Israel, 2010). Thus the desired total sample size for the study is 413.6 which is == **414** (desired sample size)

3.4.1 Determination of Proportionate Sample Size for each Population Stratum

1. Senators	-	109
2. Management Staff	-	618
3. Non- Management Staff	-	2,409
4. Legislative Aides	-	3,017

To calculate the proportionate sample size for each population stratum, we use the following formula: **Sample Size for Stratum = Population Size of Stratum / Total Population Size * Desired Total Sample Size**. Let's calculate the proportionate sample size for each of the population stratum, where the desired total sample size is **414**:

- i. For the stratum with a population size of **109** Senators: Sample Size for Stratum = $\frac{109}{6153}$
x 414 Sample Size for Stratum $\approx 7.36 = 7$
 - ii. For the stratum with a population size of **618** Mgt Staff: Sample Size for Stratum = $\frac{618}{6153}$
x 414 Sample Size for Stratum $\approx 41.42 = 41$
 - iii. For the stratum with a population size of **2,409** Non-Mgt Staff: Sample Size for Stratum
= $\frac{2409}{6153}$ x 414 Sample Size for Stratum $\approx 162.08 = 162$
 - iv. For the stratum with a population size of **3,017** Legislative Aides: Sample Size for
Stratum = $\frac{3017}{6153}$ x 414 Sample Size for Stratum $\approx 202.14 = 202$
- Therefore total adjusted sample size is now == **412** (adjusted sample size).

Table 3.2 Determination of **Proportionate Sample Size**

S/No	Pop. Stratum	Total No	Sample Size	Percentage
1	Senators	109	7	1.77
2	Management Staff	618	41	10.00
3	Non- Management Staff	2,409	162	39.14
4	Legislative Aides	3,017	202	48.82
	Total	6,153	412	100%

3.5 Instrument of Data Collection

This research study made use of a structured closed-ended questionnaire with five Likert scale denoted as SA= Strongly Agree; A= Agree; N=Neutral; D= Disagree; SD= Strongly Disagree. The researcher adopted the use of Google online questionnaire sent to purposively

selected stratum of respondents through emails and WhatsApp platforms for want of time. The questionnaire was divided into three sections A, B and C . Section A consist of demographic data of respondents (age, sex, marital status, educational qualification, and job status); Section B captures two proxies of Independent variables as Constitutional Provisions(CP) and Attitude and Integrity (AIS); while the last section C features dependent variables that aide or impede Legislative Oversight.

3.6 Data Sources

Data refers to raw or processed information or observations. Because data can be from primary or secondary source, we have primary and secondary sources, which are further classified as published or unpublished data (Obadan, 2012). The source of data for this study is primary source.

3.6.1 Primary Data Source

Any data collected directly or through first-hand evidence is primary data. This consists of statistical/numerical information which a researcher collects directly from the generators of the data (Obadan, 2012). Such data could also originate from the researcher. Primary data is therefore original data collected by the researcher (Obada, 2012). Primary data can take the form of quantitative or qualitative data. The Primary data for this study were sourced through questionnaire survey. The questionnaire were purposively administered to 109 Senators, 618 Management staff, 2,409 non-Management staff, and 3,017 legislative Aides of the National Assembly.

3.7 Data Collection Tool Pre-test

The pre-test of the major instrument of data collection in this study, which is questionnaires was conducted to validate that the tool content is valid. Hence, content validity, internal validity and external validity were reflected. It has been proved with the pilot test prior to the start of actual data collection. Feedback from the pilot test has helped the researcher to effect minor

adjustment to the original questionnaire. The pilot test was conducted with 10 questionnaires administered on 10 respondents selected randomly in the National Assembly.

3.8 Validity

In research, validity refers to the ability of a measuring instrument to measure correctly what it is designed to measure (Obadan, 2012). An instrument of data collection is said to be valid if it enables the researcher to elicit the correct responses from sample objects, otherwise, it is faulty and may lead to spurious findings (Obadan, 2012). In other words, do the questions formulated in the questionnaire adequately cover the scope and dimensions implied in this research? Is it capable of generating the needed data to answer the research questions and resolved the hypothesis? This is the crux of validity of research design.

To guarantee the validity of the measuring instrument in this study, a pilot study with 10 of the questionnaires was conducted to determine if the questionnaire elicited the right questions, and whether it has adequately covered the scope and dimensions intended by the topic and the research questions.

3.9 Reliability

Reliability refers to the stability, dependability, and predictability of measuring instruments (Obadan, 2012). It is the extent to which studies can be replicated. Reliability presupposes that the measuring instrument gives similar, close, or the same result if the study to which the instrument is applied is replicated. In other words, will the instrument give consistent or similar results when it is used by a different researcher under the same assumptions and conditions? (Obadan, 2012).

According to Boru (2018), the results of a study is reliable if the study can be reproduced under similar conditions and methodology by another. To satisfy the requirement of reliability in a piece of research, the researcher must document the research procedure explicitly (Boru, 2012).

This is what Franklin & Ballan (cited in Boru, 2012), termed the “audit trail”, which is important to provide a basis for checking the researcher’s dependability.

To guarantee the reliability of the measuring instrument in this study, therefore, the researcher documented the following:

- i. the research method and the overall research design;
- ii. dependent and independent variable measures;
- iii. sampling procedure and sources of data used in the quantitative analysis;
- iv. the data analysis and hypothesis testing procedure

3.10 Method of Data Analysis

Data analysis is breaking down of data into manageable and meaningful form (Obadan, 2012). Accordingly, Linear Regression Analysis was used to predict the values of the dependent and the independent variables; Correlation Analysis was adopted to establish whether a relationship exists between the variables under study; Jamovi, 2023 statistical spreadsheet was used to analyze survey data/questionnaire; the Omnibus ANOVA (analysis of variance) test, was used to examine whether there are significant differences in means across groups; the ordinary least square regression was used to test the hypotheses; while the Model fitness test was used to measure the relationship between Legislative Oversight, Constitutional Provisions and Political Will with a focus on the Senate Committee on Defence for the period 2019-2023.

The study uses two proxies for political will as independent variables: Constitutional Provisions (CP) and Attitude and Integrity of Senators (AIS). The dependent variable is Legislative Oversight (LO). The data analysis tools are discussed below.

a. Linear Regression Analysis

Linear Regression Analysis is a data analysis technique that is used to predict the value of a variable based on the value of another variable. Here, the variable we want to predict is the Dependent variable - Legislative Oversight (LO); while the variable we are using to predict the

other variable's value is the Independent variable - Constitutional Provisions (CP) and Political Will (AIS) including other explanatory variables.

Model Specification

The multiple linear regression model incorporating the Independent, Dependent and other explanatory variables can be represented as follows:

$$LO_i = \alpha_i + \beta_0 + \beta_1 (AIS) + \beta_2 (CP) + \beta_3 (F) + \beta_4 (C) + \beta_5 (CS) + \beta_6 (ES) + \beta_7 (CSE) + \beta_8 (PC) + \beta_9 (OT) + \varepsilon_i$$

Where:

LO = Legislative Oversight (Dependent Variable)

Whereas:

CP = Constitutional Provisions

AIS = Attitude and Integrity of Senators

F = Funds

C = Capacity

CS = Committee Size

ES = Experience of Senators

CSE = Committee Staff Experience

PC = Political Capital

OT = Oversight Tools

(Independent Variables)

α = Constant

ε = Error Term

The $\beta_1 \beta_2 \beta_3 \beta_4 \beta_5 \beta_6 \beta_7 \beta_8 \beta_9$ indicate the relationship between each independent variable and the dependent variable, while the β_0 represents the intercept. The Coefficients show the impact of

each independent variable on legislative oversight, taking into account the combined effect of all the explanatory variables.

b. Correlation Analysis

Correlation Analysis aimed at finding out whether a relationship exists between variables and then determining the magnitude and action of that relationship. Through correlation coefficient for instance, we can explain how one variable moves in relation to another. A positive correlation indicates that the two move in the same direction, with a value of (1) denoting a perfect positive correlation. A value of (-1) shows a perfect negative, or inverse correlation, while zero means no linear correlation exists.

c. Jamovi, 2023

Jamovi is a new “3rd generation” streamlined statistical spreadsheet that is used to analyze survey data or questionnaire. It is a fully functional spreadsheet that is used to enter, copy and paste, filter rows, compute new values, and can perform transforms across many columns at once.

d. Omnibus ANOVA Test

The Omnibus ANOVA (analysis of variance) test, was used to examine whether there are significant differences in means across groups. The ANOVA test was conducted for three variables: CP (Constitutional Provisions), AIS (Attitude and Integrity of Senators), and the Residuals (unexplained variance).

e. Model Fit Test

The model fitness test was used to measure the relationship between Legislative Oversight, Constitutional Provisions and Political Will, with a focus on the Senate Committee on Defence for the period 2019-2023.

3.11 Ethical Consideration

There is no point carrying out a research that has no credibility, integrity and acceptability. Keeping to ethical standards enhances credibility and gives authority and reliability to the outcome of a research effort (Saliu, 2019). Ethical issues in research therefore relates to honesty and integrity in carrying out systematic academic or non-academic investigation. It is simply code of conduct required for conduct of research and report writing (Saliu, 2019). All threats that can diminish the outcome of a research therefore constitutes ethical issues in research.

For instance, issues bordering on generation and management of information are germane to any research undertaking. In sending out questionnaires for this study, due diligence was followed to ensure that the rights of respondents were protected. Efforts were also made to ensure confidentiality of sources. Letter of introduction together with data protection letter, with informed consent forms disclosing identity and motive of the researcher, and to get consent of respondents were sent out before the start of the research. Issues that border on plagiarism, libel and defamation, adherence to the principles of value free research were considered in the course of generating data and ideas for this research. Lastly, the study acknowledged contributors to the research effort, provided proper citations and credits as well as list of references.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS, AND INTERPRETATION

This chapter presented the results, analysis, and interpretation of primary data collected through a survey questionnaire. Data are presented using tables, descriptive statistics, linear regression analysis, and correlation analysis. Out of the 414 questionnaires administered to the respondents, 397 were returned, yielding a 96% response rate. The data collected are presented and analyzed below.

4.1 Data Presentation

4.1.0 Demographic Characteristics of the Respondents

Table 4.1 shows the age distribution of staff of the National Assembly based on the results of a survey. The table presents five age categories: 18-25 years, 26-35 years, 36-50 years, 51-60 years, and above 60 years.

Table 4.1: Frequencies of Age

Age	Counts	% of Total	Cumulative %
18-25yrs	59	14.9 %	14.9 %
26-35yrs	84	21.2 %	36.1 %
36-50yrs	132	33.3 %	69.4 %
51-60yrs	98	24.7 %	94.2 %
Above 60 yrs	23	5.8 %	100.0 %

Source: Survey data using Jamovi, 2023

The "Counts" column shows the number of respondents in each age category, while the "% of Total" column shows the percentage of respondents in each age category relative to the total number of survey respondents.

For example, there were 59 respondents in the 18-25 years age group, which represents 14.9% of the total number of survey respondents. The "Cumulative %" column shows the cumulative percentage of respondents up to each age category, meaning the percentage of respondents in that age category plus the percentages of all the previous age categories.

For instance, the cumulative percentage of respondents up to the 36-50 years age group is 69.4%, meaning that 69.4% of the total survey respondents are 50 years old or younger. The last row of the table shows that only 5.8% of the survey respondents are above 60 years old.

Overall, the table provides useful information about the age distribution of the respondents who are staff of the National Assembly in Abuja. This information could be used to inform policies and practices related to the study

Table 4.2: Frequencies of Gender

Gender	Counts	% of Total	Cumulative %
Female	111	28.0 %	28.0 %
Male	285	72.0 %	100.0 %

Source: Survey data analysis with Jamovi, 2023

Table 4.2 shows the gender distribution of the respondents with the data being presented in three columns: "Gender," "Counts," and "% of Total," as well as the "Cumulative %" column which shows the cumulative percentage of individuals up to each gender category.

The "Gender" column indicates two categories of gender – female, and male. The "Counts" column shows the number of individuals in each gender category, while the "% of Total" column shows the percentage of individuals in each gender category relative to the total number of individuals in the population.

For example, there were 111 females in the population, which represents 28% of the total population. The "Cumulative %" column shows the cumulative percentage of individuals up to each gender category, meaning the percentage of individuals in that gender category plus the percentages of all the previous gender categories.

For instance, the cumulative percentage of females is 28%, and the cumulative percentage of males is 72%, which adds up to 100%. This indicates that there were more males than females in the population.

Overall, the table provides useful information about the gender distribution of the population, which could be used to inform policies and practices related to gender equity, representation, and empowerment.

Table 4.3 shows the distribution of educational qualifications among the survey respondents.

4.3: Frequencies of Educational Qualification

Educational Qualification	Counts	% of Total	Cumulative %
HND/BSc	244	61.6 %	61.6 %
M.Sc./M.ED	103	26.0 %	87.6 %
Others	31	7.8 %	95.5 %
PhD	18	4.5 %	100.0 %

Source: Survey data analysis with Jamovi, 2023

The "Educational Qualification" column presents four categories of educational qualifications: HND/BSc, M.Sc./M.ED, Others, and Ph.D. The "Counts" column shows the number of survey respondents in each category of educational qualification, while the "% of Total" column shows

the percentage of survey respondents in each category of educational qualification relative to the total number of survey respondents.

For instance, there were 244 survey respondents with HND/BSc qualifications, representing 61.6% of the total number of survey respondents. There were also 103 survey respondents with M.Sc./M.ED qualifications, representing 26% of the total number of survey respondents. The "Cumulative %" column shows the cumulative percentage of survey respondents up to each category of educational qualification.

For instance, the cumulative percentage of survey respondents with HND/BSc qualifications is 61.6%, and the cumulative percentage of survey respondents with M.Sc./M.ED qualifications is 87.6%. The cumulative percentage of survey respondents with other qualifications is 95.5%, while the cumulative percentage of survey respondents with Ph.D. qualifications is 100%.

Overall, the table provides useful information about the distribution of educational qualifications among the survey respondents, which could be used to analyze the skills and knowledge of the survey respondents and to inform policies and practices related to defense in the context of the committee of the National Assembly in Abuja.

4.4: Frequencies of Job Status

Job Status	Counts	% of Total	Cumulative %
Legislative Aides	117	29.5 %	29.5 %
Legislators	21	5.3 %	34.8 %
Staff	217	54.8 %	89.6 %
Management Staff	41	10.4 %	100.0 %

Source: Survey data analysis with Jamovi, 2023

The table presents the job status of the survey respondents in the context of the National Assembly in Abuja. The "Job Status" column lists four categories of job status: Legislative Aide, Legislator, Staff, and Management Staff.

The "Counts" column shows the number of survey respondents in each job status category, while the "% of Total" column shows the percentage of survey respondents in each job status category relative to the total number of survey respondents.

For example, there were 117 Legislative Aides, representing 29.5% of the total number of survey respondents. There were also 21 Legislators, representing 5.3% of the total number of survey respondents. The "Cumulative %" column shows the cumulative percentage of survey respondents up to each job status category.

For instance, the cumulative percentage of Legislative Aides is 29.5%, and the cumulative percentage of Legislators is 34.8%. The cumulative percentage of Staff is 89.6%, while the cumulative percentage of Management Staff is 100%.

Overall, the table provides information about the distribution of job status among the survey respondents. It shows that most of the survey respondents are Staff (54.8%), followed by Legislative Aides (29.5%), Management Staff (10.4%), and Legislators (5.3%). This information could be used to analyze the representation of different job categories in the survey and to inform policies and practices related to the defense committee in the context of the National Assembly in Abuja.

4.5: Frequencies of Marital Status

Marital Status	Counts	% of Total	Cumulative %
Divorced	25	6.3 %	6.3 %
Married	274	69.2 %	75.5 %
Single	80	20.2 %	95.7 %

4.5: Frequencies of Marital Status

Marital Status	Counts	% of Total	Cumulative %
Widow/Widower	17	4.3 %	100.0 %

Source: Survey data analysis with Jamovi, 2023

Table 4.5 provides information on the marital status of the survey respondents in the context of the National Assembly in Abuja. The "Marital Status" column lists four categories of marital status: Divorced, Married, Single, and Widow/Widower.

The "Counts" column shows the number of survey respondents in each marital status category, while the "% of Total" column shows the percentage of survey respondents in each category relative to the total number of survey respondents.

For instance, there were 25 respondents who reported being divorced, which is 6.3% of the total number of survey respondents. There were also 274 respondents who reported being married, which is 69.2% of the total number of survey respondents. The "Cumulative %" column shows the cumulative percentage of survey respondents up to each marital status category.

For example, the cumulative percentage of respondents who reported being divorced is 6.3%, and the cumulative percentage of respondents who reported being married is 75.5%. The cumulative percentage of respondents who reported being single is 95.7%, while the cumulative percentage of respondents who reported being widow/widower is 100%.

Overall, the table provides information about the distribution of marital status among the survey respondents. It shows that most of the survey respondents are married (69.2%), followed by single (20.2%), divorced (6.3%), and widow/widower (4.3%). This information could be used to analyze the representation of different marital status categories in the survey and to

inform policies and practices related to family support, leave benefits, and work-life balance in the context of the National Assembly in Abuja.

4.1.1 Descriptive Statistics of the Variables

The study examines Effects of Constitutional provisions and Political Will on Legislative Oversight in Nigeria, looking at the Senate Committee on Defence from 2019-2023. The study uses three proxies for political will as independent variables: Constitutional provisions (CP) and Attitude and Integrity of Senators (AIS). The dependent variable is Legislative Oversight (LO).

4.6: Summary Statistics of the Variables

	CP1	CP2	CP3	AIS1	AIS2	AIS3	LO1	LO2	LO3
N	397	397	397	397	397	397	397	397	397
Mean	4.51	4.48	3.9	4.7	3.71	4.56	1.81	3.71	3.8
Median	5	5	4	5	4	5	2	4	4
Std devn	0.88	0.94	1.2	0.71	1.41	0.67	0.975	1.1	1.32
Minimum	1	1	1	1	1	1	1	1	1
Maximum	5	5	5	5	5	5	5	5	5

Source: Survey data analysis with Jamovi, 2023

The data includes 397 observations for each variable, which were measured using a 5-point Likert scale where 1 represents strongly disagree and 5 represents strongly agree. The mean values for each variable ranged from 1.81 to 4.70, with the highest mean being for AIS1 (Attitude and Integrity of Senators) and the lowest mean for LO1 (Legislative Oversight). The standard deviation values ranged from 0.674 to 1.41, indicating a moderate level of variability in the responses. The descriptive statistics suggest that the attitudes and integrity of Senators are generally viewed positively, while effectiveness of legislative oversight is viewed more negatively by the respondents

4.1.2 Correlation Matrix of the Variables

Table 4.7 is a correlation matrix showing the correlation coefficients and corresponding p-values between three variables: Constitutional Provisions (CP), Attitude and Integrity of Senators (AIS), and Legislative Oversight (LO).

4.7: Correlation Matrix

		CP		AIS		LO	
CP	Pearson's r	—					
	p-value	—					
AIS	Pearson's r	0.491 ***	0.212 ***	—			
	p-value	< .001	< .001	—			
LO	Pearson's r	0.421 ***	0.222 ***	0.144 **	—		
	p-value	< .001	< .001	0.004	—		

Note. * $p < .05$, ** $p < .01$, *** $p < .001$

Source: Survey data analysis with Jamovi, 2023

The diagonal cells show the correlation of each variable with itself, which is always perfect ($r = 1.0$). The off-diagonal cells show the correlation coefficients between pairs of variables.

The correlation coefficient is a measure of the strength and direction of the linear relationship between two variables. The possible values range from -1 to 1, where -1 indicates a perfect negative linear relationship, 0 indicates no linear relationship, and 1 indicates a perfect positive linear relationship.

Table 4.7 above shows that all pairs of variables are positively correlated. Specifically, the correlation coefficients are as follows:

- CP and AIS have a correlation coefficient of 0.491 ($p < .001$).
- LO and CP have a correlation coefficient of 0.421 ($p < .001$).
- AIS and LO have a correlation coefficient of 0.144 ($p = 0.004$).

The p-values indicate the level of significance of the correlation coefficients. The smaller the p-value, the more significant the correlation is. In this case, all the correlation coefficients are significant at $p < .001$, except for the correlation between LO and AIS, which is significant at $p = 0.004$.

Overall, the results suggest that there are positive relationships amongst the variables. For example, higher levels of Constitutional Provisions are associated with higher levels of Attitude and Integrity of Senators and Legislative Oversight. Similarly, higher levels of Attitude and Integrity of Senators and Legislative Oversight are associated with higher levels of each other.

4.2 Data Analysis

The study examines the Effects of Constitutional Provisions and Political Will on Legislative Oversight with a particular reference to the Senate Committee on Defense from 2019-2023. The study uses two proxies for political will as independent variables: Constitutional provisions (CP) and Attitude and Integrity of Senators (AIS). The dependent variable is Legislative Oversight (LO). This section will analyze the data collected from the 397 respondents by testing the hypotheses to answer the research questions using the Linear Regression Analysis. First, we look at the fitness of the model and other preliminary analysis.

4.8: Model Fit Measures

Model	R	R ²	Adjusted R ²	Overall Model Test			
				F	df1	df2	P
1	0.437	0.191	0.185	31.0	3	393	< .001

Source: Survey data analysis with jamovi, 2023

Table 4.8 presents the model fit measures for a statistical model that examines the relationship between Legislative Oversight, Constitutional Provisions and Political Will in Nigeria, with a focus on the Senate Committee on Defence for the period 2019-2023.

The model fit measures show that the overall model is statistically significant, as indicated by the p-value of less than .001. The R² value of 0.191 indicates that approximately 19% of the variance in Legislative Oversight can be explained by the model, which is a moderate level of explanatory power. The Adjusted R² of 0.185 is slightly lower than the R² and indicates that the model is not over fitting the data. The F-statistic of 31.0 with 3 and 393 degrees of freedom indicates that the model has a good fit and the predictors (Political Will) are significantly related to the outcome variable (Legislative Oversight).

4.9: Omnibus ANOVA Test

	Sum of Squares	Df	Mean Square	F	P
CP	26.27	1	26.273	64.18	< .001
AIS	1.22	1	1.220	2.98	0.085
Residuals	160.87	393	0.409		

Note. Type 3 sum of squares

Table 4.9 shows the results of an omnibus ANOVA (analysis of variance) test, which is used to examine whether there are significant differences in means across groups. The ANOVA test was conducted for three variables: CP (Constitutional Provisions), AIS (Attitude and Integrity of Senators), and the Residuals (unexplained variance).

The table displays the sum of squares, degrees of freedom (df), mean square, F-statistic, and p-value for each variable. The F-statistic is used to test whether the group means are significantly

different, with higher values indicating a greater difference between groups. The p-value represents the probability of obtaining the F-statistic or a more extreme value if the null hypothesis (that there are no significant differences between groups) is true.

In this table, the p-values for CP and AIS are all less than 0.1, which means that there is no significant difference between CP and AIS. Additionally, the residuals have a large sum of squares, indicating that a large proportion of the variance is unexplained by the variables included in the model.

4.2.1 Test of Hypotheses

Decision Rule: Reject the null hypothesis if the p-value is less than 5% level of probability; and if otherwise accept the null hypothesis. The hypotheses for this study are stated in null form as follows:

- a. HO₁: The provisions of the Nigerian constitution have no significant effect on the oversight performance of the 9th senate committee on Defence.
- b. HO₂: Political will of the 9th senate committee on Defence has no significant effect on oversight performance.

The ordinary least square regression was used for testing these hypotheses and the results are shown in table 4.10.

4.10 Model Coefficients – LO

Predictor	Estimate	SE	95% Confidence Interval		T	P
			Lower	Upper		
Intercept	1.3583	0.2489	0.86895	1.8477	5.46	< .001
CP	0.3970	0.0496	0.29956	0.4944	8.01	< .001

4.10 Model Coefficients – LO

Predictor	Estimate	SE	95% Confidence Interval		T	P
			Lower	Upper		
AIS	-0.0859	0.0498	-0.18370	0.0119	-1.73	0.085

Table 4.10 shows the model coefficients for the predictor variables in the study on “Effects of Constitutional provisions and Political Will on Legislative Oversight in Nigeria: A Study of Nigeria’s Senate Committee on Defence, 2019-2023”. The predictor variables include Constitutional Provisions (CP) and Attitude and Integrity of Senators (AIS), and the outcome variable is Legislative Oversight (LO).

For each predictor variable, the table shows the estimate of the effect on the outcome variable, the standard error (SE) of the estimate, the t-value, and the p-value. The intercept of the model is 1.3583, which represents the expected value of LO when all predictor variables are zero.

For the first hypothesis, the coefficient for Constitutional Provisions, CP is 0.3970, indicating that improvement in CP is associated with a 0.3970 increase in LO, holding all other variables constant. The coefficient is statistically significant at $p < .001$, indicating strong evidence that the relationship between CP and LO is due to chance. Thus, the null hypothesis is rejected in favour of the alternative hypothesis, suggesting that weak provisions of the Nigerian constitution have affected the ability of the 9th senate committee on defence to perform its oversight functions effectively.

For the second hypothesis, the coefficient for Attitude and Integrity of Senators, AIS is -0.0859, indicating negative improvement in AIS, while LO decreases by -0.0859, holding all other variables constant. The coefficient is not statistically significant at $p = 0.085$, indicating a strong evidence that the relationship between AIS and LO is not due to chance. Thus, we

accept the null hypothesis that Attitude and Integrity of the 9th senate committee on defence have no positive effect on legislative oversight, suggesting that they did not bring political will to bear in the period under review.

4.2. Discussion of Results/Findings

In the correlation matrix, we see that there are positive correlations between all variables (CP, AIS, and LO), although some correlations are stronger than others. For example, the strongest correlation is between AIS and LOE ($r = 0.421$), indicating that senators who have higher levels of Attitude and Integrity (political will) are likely to be effective overseers. This suggests that promoting Attitude and Integrity among senators could potentially lead to more effective Legislative Oversight.

The Model Fit table shows that the overall model is significant ($p < .001$) and explains 19.1% of the variance in LO. This indicates that the model has some predictive power in explaining Legislative Oversight, although the amount of variance explained is relatively small.

The Omnibus ANOVA Test provides information about the contributions of each predictor variable to the overall model. Here, we see that CP has the largest effect on LO ($F = 64.18$, $p < .001$), followed by AIS ($F = 2.98$, $p = .085$). This suggests that Constitutional Provisions is the most important factor in predicting effective Legislative Oversight, followed by Attitude and Integrity of Senators.

The Model Coefficients table shows the estimated coefficients for each predictor variable. Here, we see that CP has the largest coefficient (0.3970), indicating that improvement in Constitutional Provisions is associated with a 0.3970 increase in LO, holding all other variables constant. However, the coefficient for AIS is negative (-0.0859), suggesting that improvement in Attitude and Integrity of Senators is associated with a 0.0859 decrease in LO. Overall, the findings suggest that Constitutional Provision is the most important factor in predicting Legislative Oversight, followed by Attitude and Integrity (political will) of Senators.

Research objective one seeks to investigate the extent to which the provisions of the Nigerian constitution affected oversight performance of 9th senate committee on defence. Result from the study revealed that weak enforcement mechanisms have affected the ability of the 9th senate committee on defence to perform their oversight functions effectively; hence we reject the null hypothesis which state that the provisions of the Nigerian constitution have no significant effect on the oversight performance of the 9th senate committee on Defence. This finding is consistent with Pelizzo & Stapenhurst (2012) who discovered that ineffective legislative oversight in most West African states is due to inadequacy of oversight mandate of the legislature (that is what and how much a legislature is entitled to do); but inconsistent with the findings of Ebo & N'Diaye (2008) and Fagbadebo (2018) which held that the legal framework for oversight in most West African countries including Nigeria are adequate, but the problem is lack of political will to harness the provisions for intended purposes.

Research objective two seek to examine the extent to which political will of 9th senate committee on defence affect the performance of their oversight functions. . Findings from the study indicate that Political will has not impacted legislative oversight in the period under review. Accordingly, we accept the null hypothesis that Political will of the 9th senate committee on Defence has no significant effect on their oversight performance. This finding is consistent with Obi (2019), that if the legislature do not have the political will to excel at oversight, they will neither harness the provisions of the constitution nor bring capacity to bear; and inconsistent with the findings of other researchers like Pelizzo & Stapenhurst, (2014); Notshulwana, & Lebakeng, (2019), which found that political will is a necessary condition for ensuring effective legislative oversight.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

Chapter five presented the summary of the study, conclusion and recommendations emanating from the study.

5.1 Summary of Findings

The study “Effects of Constitutional Provisions and Political Will on Legislative Oversight: A Study of Nigeria’s Senate Committee on Defence, 2019-2023”, examined the relationship between legislative oversight and political will in Nigeria using the 9th senate committee on defence as case study.

Research objective one examined the extent to which the provisions of the Nigerian constitution affected oversight performance of 9th senate committee on defence. Result from the study revealed that weak enforcement mechanisms have affected the ability of the 9th senate committee on defence to perform their oversight functions effectively. Hence we reject the null hypothesis which state that the provisions of the Nigerian constitution have no significant effect on the oversight performance of the 9th senate committee on Defence. This finding is consistent with Pelizzo & Stapenhurst (2012) who discovered that ineffective legislative oversight in most West African states is due to inadequacy of oversight mandate of the legislature (that is what and how much a legislature is entitled to do); but inconsistent with the findings of Ebo & N’Diaye (2008) and Fagbadebo (2018) which held that the legal framework for oversight in most West African countries including Nigeria are adequate, but the problem is lack of political will to harness the provisions for intended purposes.

Research objective two determined the extent to which political will of 9th senate committee on defence affect the performance of their oversight functions. . Findings from the study

indicate that Political will has not impacted legislative oversight in the period under review. Accordingly, we accept the null hypothesis that Political will of the 9th senate committee on Defence has no significant effect on their oversight performance. This finding is consistent with Obi (2019), that if the legislature do not have the political will to excel at oversight, they will neither harness the provisions of the constitution nor bring capacity to bear; and inconsistent with the findings of other researchers like Pelizzo & Stapenhurst, (2014); Notshulwana, & Lebakeng, (2019), which found that political will is a necessary condition for ensuring effective legislative oversight.

Overall, the study found that constitutional provisions is critical to effective legislative oversight; but weak enforcement mechanism accounted for the inability of the 9th senate committee on defence to perform watertight oversight of the defence sector. It was also established that political will is crucial to enforcement of oversight; and that political will of the 9th senate was weakened by weak enforcement mechanism, leading to poor oversight of the defence sector.

5.2 Conclusion

Strong Constitutional provisions and Political will play important role in shaping legislative oversight in any democracy. Whereas the 1999 Constitution provides the legal framework for legislative oversight, delineating the powers and mandate of the legislature, weak enforcement mechanisms have continued to hamper effective legislative oversight. While strong political will contributes to asserting the independence and watchdog role of the legislature, lack of it weakened legislative oversight resulting in less rigorous scrutiny and potential compromises in holding the government accountable.

In view of the importance of Constitutional Provisions in predicting legislative oversight, rejigging the provisions of section 89 of the 1999 Constitution to make it more enforceable

could embolden legislators to muster the political will to be effective overseers. Also, promoting integrity and positive attitude among legislators could potentially lead to more effective legislative oversight.

Overall, a combination of robust constitutional provisions and strong political will are critical to effective legislative oversight in Nigeria.

5.3 Recommendations

- There is urgent need to undertake a comprehensive review of the constitutional provisions related to legislative oversight to make them realistic and more enforceable. Policymakers should also appreciate the interactions between contextual factors, oversight tools, capacity, political will and constitutional provisions in ensuring legislative oversight effectiveness.
- There is also need to enhance political will through emplacement of a deliberate reward system that recognizes lawmakers who exhibit high level of integrity, courage and commitment to the tenets of legislative oversight. Also, international donors and civil society organizations should be made to know which areas to channel their resources in their effort to support the legislature to be more effective overseers.

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APPENDIX 1

DEPARTMENT OF LEGISLATIVE STUDIES

NATIONAL INSTITUTE FOR LEGISLATIVE

AND DEMOCRATIC STUDIES/UNIVERSITY OF BENIN

Dear respondent,

I am a Postgraduate student of the NILDS-UNIBEN Postgraduate programme, undertaking a research study on the topic “Legislative Oversight and Political Will in Nigeria: A Study of Senate Committee on Defence, 2019-2023” as part of the requirements for the award of a Master’s Degree in Legislative Studies.

You are selected to be part of this study because we believe you possess the minimum knowledge and understanding of the workings and oversight functions of the legislature in a representative democracy. We thank you most sincerely for accepting to participate. The data provided will be used strictly for the purpose of this research.

Abdul Lauya

PG/NLS2015044

APPENDIX 2

SECTION A: Demographic profile of respondents

(Please tick the appropriate option that is applicable to you).

1. Age: a. 18-25yrs () b. 26-35yrs () c. 36-50yrs () d. 51-60yrs () e. 60 and Above ()
2. Sex: a. Male () b. Female ()
3. Educational Qualification: a. HND/BSC () b. M.Sc./M.ED () c. PhD () () e. Others ()
4. Job Status: a. Senator () b. Management Staff () c. Non- Management Staff () d. Legislative Aide ()
5. Marital Status: a. Married () b. Single () c. Divorced () d. Widow/Widower ()

SECTION B: Independent Variable- Political will

Composite Variables that Aid or Impede Political Will

Please mark X under the response code that correctly represents your view.

Guide: SA= Strongly Agree; A= Agreed; N=Neutral; D= Disagree; SD= Strongly Disagree.

Constitutional Provisions

Constitutional Provisions						
		Response Code				
S/No	Statements/Description	SA	A	N	D	SD
6	Constitutional lacuna impedes the ability of the senate committee on Defence to exercise effective oversight of the defence sector					
7	There is a need to amend the provisions of the constitution to give the legislature the power to enforce oversight					
8	Decisions of the legislature are subject to judicial review					

Attitude and Integrity of Senators

Attitudes and Integrity of Senators						
		Response Code				
S/No	Statement/Description	SA	A	N	D	SD
9	The quality of democracy is enhanced when legislators are willing to take risk and insist on compliance with legislative intent					
10	The 9 th senate committee on Defence lack integrity hence unable to hold defence authorities accountable					
11	Integrity and courage are important ingredients of political will					

SECTION C: Dependent Variable – Legislative Oversight

Composite variables that aid or impede Legislative Oversight

Legislative Oversight						
		Response Code				
S/No	Statement/Description	SA	A	N	D	SD
12	The 9 th Senate has inadequate oversight tools (e.g. oversight visits, public hearings, interactive sessions etc) to carry out effective oversight					
13	The 9 th senate committee on Defence has inadequate financial and material resources (funds, vehicles etc) to undertake effective oversight of MDAs under its jurisdiction					
14	If legislators expect material or symbolic benefits (financial rewards, electoral return) they are most likely to be effective overseers					