

**COMMITTEE SYSTEM AS A FULCRUM OF
EFFECTIVE LEGISLATIVE PROCESS: STUDY OF
ABIA STATE 7th HOUSE OF ASSEMBLY.**

BY

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**BEING A DISERTATION SUBMITTED TO THE
NATIONAL INSTITUTE FOR LEGISLATIVE AND
DEMOCRATIC STUDIES (NILDS/UNIBEN)
POSTGRADUATE PROGRAMMES IN PARTIAL
FULFILMENT OF THE REQUIREMENTS FOR THE
AWARD OF MASTERS DEGREE IN LEGISLATIVE
STUDIES MLS**

JUNE, 2023

DECLARATION

I hereby declare that the work, "Committee System as a Fulcrum of Effective legislative Process: Study of Abia State 7th Assembly", presented in Partial fulfillment of the requirement for the award of Masters in Legislative Studies (MLS) is my work, and has never been presented in this or any

Other institution, for the award of the same or any other degree. All consulted works are duly Acknowledged.

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CERTIFICATION

This is to certify that this thesis titled “**Committee System as a Fulcrum of Effective Legislative Process: Study of Abia State 7th Assembly**”, has been read and approved by the following undersigned, having met the requirements for the award of Masters in Legislative Studies, National Institute for Legislative Studies.

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DEDICATION

This research work is dedicated to the Almighty God for giving me the grace and opportunity to start and complete the study at the due time without any obstacle. Most importantly, for his mercies in keeping me mentally and physically strong throughout my academic sojourn in the Institute.

Also, I wish to thank my lovely wife, Joyce and the kids, Nelson, Michelle and Mirabel for their support and Encouragements which was of immense help in the actualization of this noble dream.

And to my late father, Etodike, a teacher per excellence who will always remind me while alive of the benefits of Education and to my dear mother, Nneoha, who has always stood by me no matter the circumstances.

ACKNOWLEDGMENTS

This academic work will not be complete if I do not sincerely express my profound gratitude to those who have helped me in one way or the other to realize this goal.

My profound gratitude goes to my supervisor, Dr Adewale Aderemi. Despite his busy schedules, he painstakingly went through my work and offer usual advice and made necessary corrections.

And also, Dr Chris Ngara for his patience and understanding and more importantly, for standing by me and offering useful suggestions and to my Academic Director, Dr, A Abiola, and others.

My sincere gratitude goes to my friends and colleagues who in one way or the order made my stay memorable.

My special thanks to my loving wife, Dr. Joyce, for her encouragement and prayers.

And to my lovely kids, for their support throughout the duration of the program.

Thank you all and God bless.

ABSTRACT

The legislature is an institution which represents the common and collective interest of the citizens through the enactment of laws and the exercise of oversight functions on the activities of the executive. This is why in the performance of the myriad of legislative and other related functions which the modern legislatures are saddled with, the use of legislative committees became an indispensable tool. The legislative committee becomes the necessary tool for the legislature to achieve its mandate of bill making, oversight and representations. In the performance of its assignments the legislative committees have to contend with the overbearing influence of the executive arm and this have adversely affected their performance. This obvious interference is more pronounced in the state assemblies where the Governor determine members of the state assembly during the conduct of party's primaries. And that is the reason why the main objective of the study is to examine how despite this anomaly, the legislative committees still facilitate the efficiency of the 7th Abia assembly in carrying out their mandate. The legislative committees of the 7th Abia assembly, played a vital role in the parent body with reference to bill drafting, deliberation, oversight, budget process, and that is the justification for carrying out the study.

This study examines the committee system as a fulcrum for effective legislative process of the 7th Abia State House of Assembly. The study adopted the survey research design with questionnaire administered to House members (including the committee members) and the staff of the 7th Abia State House of Assembly. The data obtained were presented in tables using simple percentages to analyze it. This was done by analyzing the respondent views or information that were collected from the questionnaire administered to the respondents.

The study revealed that the legislative committees are relevant and useful as they enhanced the efficiency of their parent body (whole House) in the core mandate of legislation, oversight and representation. It also revealed that the committee system impacted positively on the development of the State through the enactment of people's-oriented laws and carrying out oversight functions over relevant government agencies to ensure the judicious use of government funds and also, exposing corruption and curbing arbitrary government policies that may have negative impact on the citizenry. It also revealed that the political and administrative machinery put in place does not allow committees to perform optimally, and as important as oversight the committee's activities are hampered by lack of funds and to address these encumbrances, legislative autonomy, adequate capacity building and improved fundings are needed to enhance their performance.

The study recommended improved budgetary provisions to legislative process of legislative committees to enhance their capacity to conduct activities with little or no interferences. The legislative committee occupies a pride of place in the legislature as its functions cannot be substituted that even during the authoritarian regimes of the defunct Soviet Union the use of legislative committee was never jettisoned.

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CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

One of the major components of the legislative organization in the opinion of Okon and Essien (2015) is the existence of a legislative committee system. The legislative assembly across the globe has a tradition of dividing a whole house into smaller units carrying a definite responsibility. The division of a whole house into a smaller unit has the basic objective of promoting efficiency in the performance of the legislative and other related roles of the Assembly. In the words of Fashagba (2009), this is the underlying reason for the utilization of the committee system in virtually all forms of liberal democracy and even under authoritarian regimes. Blonde (1973) further went to assert that the utility of the legislative committee system evidently transcends the boundary of parliamentary and presidential systems of government. It is important to note that even under the authoritarian regime of the communist state of the defunct Soviet Union, the committee system of organizing assembly into units for efficiency was never discountenanced. This is evident that in all forms of governments that operate one form of democracy where legislative assembly is present, irrespective of the erroneous hurdles and bumps before it, it finds the committee system an indispensable structure. This is rightly captured by Kousoulas (1982) who avers that in large legislatures as well as small ones, much of the work is done by committees, and this partly compensates for the limitation inherent in a large membership.

All over the world there is a growing trend to move towards more reliance on legislative committees to conduct the work of parliament, and the greatest reason for this trend is that the legislative committee is the pillar of legislative activities. The demands of parliament are numerous and it is not possible for the whole house to

consider all the details necessary for performing the proper function of a legislature. The Nigerian legislative assemblies, both at the Centre and the constituent units have, therefore found it indispensable the use of legislative committee system for efficient service delivery where detailed attention is given to the issues or bills under consideration in the legislature. To this end, Osuji (2019) opines that modern legislatures are often structured into strong committees for efficiency and effectiveness of legislative functions as obtainable in American congressional institution.

The effectiveness and the ability to carry out oversight functions and expose corruption squarely rest on the effectiveness of the legislative committee system. Indeed, as the demands on a modern parliament are numerous and it is not possible for the whole House to consider all the details necessary for performing the proper function of a legislature as it were, the most practical machinery devised for this purpose is the setting up of a number of legislative committees composed of small number of members of the legislature. The utilitarian rationalization underpinning the composition of legislative committees is thus hinged on efficiency and speed, as well as serving as sources of specialist knowledge.

Against this background the Nigerian legislature of the fourth republic was established to foster good and efficient government through the use of legislative committee system to execute its mandate, was therefore considered a *sine quo non*. The legislatures realizing the enormous task on their shoulders, the public expectation, and the constitutional provision divided the law makers into smaller units so as to be well positioned to discharge their lawmaking functions alongside other auxiliary responsibilities, especially oversight as constitutionally required.

Abia State is one of the 36 States making up the Nigerian federation. Following their inauguration, the 7th Abia State House of Assembly rolled out legislative blueprint for 2015-2023 sessions, which is termed quality legislation to meet the people's expectations. The Vanguard newspaper (2019), in capturing the blue print of the Abia State House of Assembly on June 10th 2015 emphasizes the important roles the legislative committees will play in the realization of its goals that recognizes, that the House committees constitute the engine rooms of legislative business. Therefore, the legislative committees shall be strengthened and engineered to promote efficiency, effectiveness and quality service delivery”.

It went further to quote the Speaker, Rt Hon Chinedum Orji as saying that the 7th Assembly shall be “committed to proper funding, improved staffing and more efficient running of committees. The appointment of the leadership and membership of the committees shall reflect experience, professionalism and capacity. There shall be strict adherence to time limits for delivery of Reports referred to legislative committees. Where necessary a legislative committee that fails to deliver its reports on time would be divested of its jurisdiction on the matter. It went further to note that the 7th assembly shall be committed to implementing the use of templates and standardized formats for committee activities in legislative reporting, oversight activities, minutes of meeting, public hearing and quarterly/annual Reports. The House shall ensure regular supervision of committee activities in order to achieve optimum performance. More so, the leadership shall conduct regular meetings with Chairmen of Committees to review performance and ensure that legislative activities of the Committees are consistent with the legislative blue print”.

The 7th Abia Assembly has 27 standing committees to aide their legislative business. These committees are House Services, Rules & Business, Public Petitions, Tourism

and Culture, Works and Project Monitoring, Finance, Rural co-operatives, Finance, Trade and Investment, Local Government & Chieftaincy affairs, Appropriation, Public Accounts & Due Process, Housing, Agriculture, Transport, Lands, Survey & urban Planning, Niger Delta Development Corporation, Abia State Oil Producing Development Agency, & Petroleum Matters, Public Utilities & Water Resources, Media and Publicity, Health, women affairs & Social Development, Sports and Youth Development, Environment/ New Map, Education, Judiciary and Boundary Matters, Energy and Solid minerals, Boundary & Security Matters, Industries/Science and Technology, SMEs and PPP. These Standing committees do play a crucial role in the legislative process especially in determining the major decisions that shape a draft bill before it is considered by the whole House. They also have a broad authority to adopt amendments and redraft bills, and it is the legislative committee's version that is considered by the full chamber.

1.2 Statement of the Research Problem

The importance of the legislative committee as the pivot upon which the legislative activities revolve cannot be underscored. In Nigeria a lot of studies have been carried out by eminent scholars on this subject matter at federal levels. Such works include among others, *Oiling the legislature: An Appraisal of the committee system in Nigeria* by Agaptus et al (2010), *Committee System in Nigeria*, Korikiye (2019), *A review of Committees in the National Assembly*, Oguche (2019). The gap in terms of limited studies of committee systems in State legislatures, is therefore the conviction of this study to fill the research gap. Furthermore, the State legislature in Nigeria is largely not autonomous or independent and often referred as the appendage of the Executive and this has had a negative impact on their activities and public perception. They are seen as rubber stamp always doing the bidding of the executive. This study will give

an idea of the workings of the committee system in legislative activities of Abia State Assembly with a view of understanding the extent of the contribution of the standing committees in the actualization of the objectives of the 7th Assembly in Abia State”

1.3 Research Questions

- i How effective is the operational functions of legislative committee system in the 7th Abia State House of Assembly?
- ii What extent has the 7th Assembly legislative committee system contributed to the overall performance on the development of Abia State?
- iii What are the challenges facing the operations of the legislative committees in the 7th Abia State House of Assembly?
- iv What are the measures put in place to improve committee activities for effective legislative functions in the 7th Abia State House of Assembly?

1.4 Research Objectives

The main objective of this study is to examine how the legislative committee system facilitate the effectiveness of Abia State 7th Assembly and further specific objectives is to:

- i. Examine the operational effectiveness of the legislative committee system in the 7th Abia State House of Assembly.
- ii. Examine the effect, the legislative committee of the 7th Abia State Assembly had on the development of State.
- iii. Examine the challenges facing the activities of the legislative committee system in the 7th Abia State House of Assembly.
- iv. Examine the measures put in place to improve the legislative committee activities for effective legislative functions in the 7th Abia State House of Assembly

1.5 Justification of the study

The important role the legislative committee plays in the legislature with particular reference to bill drafting, deliberation and passing of legislation, budgeting process cannot be overemphasized. It is the pillar upon which the legislative business revolves. The roles the legislative committee plays will continue to attract inquiry in order to add to knowledge and enrich our understanding about the activities of the legislature.

1.6 Significance of the study

The significance of the study lies in the fact that it will:

- i Contribute to knowledge by complementing the scanty literature that is available on the subject of legislative committees' activities in Abia state Assembly.
- ii Highlight the effect the activities of legislative committees will have on the overall development with particular reference to Abia state.
- iii Suggest ways and means to improve the activities of the legislative committees in view of the challenges they encountered in the course of their job for appropriate policy intervention by the policy makers.

The study will be of immense benefits to the members of the public and stakeholders who are affected by activities of the legislators. This is by informing them of the essence to participate in committee proceeding through public hearing thereby enhancing their knowledge and participation in making good laws for the benefit of the people.

1.7 Scope of the Study

This study focuses on the legislative committee system as the fulcrum of the legislative process, with particular reference on the performance of the various committees in enhancing legislative efficiency, in achieving their core mandate of law making, representation and oversight. The study is limited to the activities of 7th Abia State House of Assembly which is unicameral in structure. The period of the study spans from the year 2019 to 2022.

1.8 Limitation to the Methodology

Accessing information was tough and challenging as respondents were initially unwilling to cooperate and divulge information to the researcher but with persistence and persuasion, the hurdle was overcome. Also, the time frame allotted for the completion of the study did not give the researcher the latitude to combine other activities except studying but the researcher was able to work for more extra hours in order to complete the study on record time.

This study was done within the limits of the time frame and other intellectual capacity available to the researcher coupled with the financial implication of the increasing cost of transportation as a result of the currency change by the Central Bank of Nigeria was another challenge encountered in the cost of this study. However, with painstaking support of the examiners and researcher assistant's adequate data were collected to promote and preserve the quality of this study

1.8 Definition of key Terms

The key terms in the study are defined below for purposes of understanding and clarity.

Legislature: the legislature is arm of government that is responsible for making laws.

The legislature is regarded as the first arm of government and both the executive and judiciary rely on the laws made by the legislature to function.

Legislative committees: Are internal sub-units of the legislature comprised of legislators and enjoying certain delegated authority. As a common form of legislative organization, legislative committee plays an important role in the functioning of the legislature and holding the executive accountable.

Fulcrum: The pivot about which a lever turns. It is the engine room of that runs any process,

Legislative process: is a series of actions according to which a legislative proposal/bill is formulated, considered, debated, revised and approved by competent bodies according to prescribed procedures in order to have the force of law.

1.9. Outline of Chapters.

This academic research study is structured into five parts and each chapter focuses on a particular issue. Chapter one deals with the introduction, statement of the problem, the research questions, research objectives, justification, significance, scope, limitations and definition of key terms of the study. Chapter two was devoted to the review of related literature, as well as the theoretical framework which explains the theoretical perspective from which the study is conceived. Chapter three deals with research methodology adopted in the study, while chapter four outlined the research design and sources of data collection and analysis and summary of findings and

finally chapter five summarizes the study, draws conclusion and make recommendations.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter presented the theoretical framework and review of related literature relevant to this study. A review of the existing work of eminent scholars on the concept of the legislature and its origin and functions was discussed. Furthermore, a review of the opinion of scholars on the legislative committee, the importance of legislative process and the challenges facing the committee system was further evaluated.

2.1 Conceptual Review

The legislative committees have grown with time and have become an indispensable tool in the working of any deliberate assembly. Lees and Shaw (1979) have documented these systematic changes that played crucial roles in legitimizing legislative committee research and establishing its scholarly traditions. Olson (1998) opined that nowadays every significant work on cross-national parliament will contain a lengthy section on committees. In his own view, Benda (1980) has recognized the existence of a vigorous parliamentary committee system that has become the sine qua non of legislative work and oversight. Mattson and Strom (1998) put it succinctly, 'By broad consensus, committees are considered one of the most significant organizational features of modern parliaments. Parliamentary committees have also been instrumental in relieving state and/ or government overload. Mattson and Strom (1997) noted that in the legislative phase of policy making process involving ever more complex policy issues, parliamentary committees have turned out to be vital as meeting places and clearing houses of political and policy conflict and resolution.

According to Mackintosh (1985), legislative committees are microcosm of the legislatures or what Woodrow Wilson referred as the little legislatures (Cummings &

Wise, 1997). This is reflected in the constitutionally permitted delegated decision-making authority to the committees by the larger assembly who merely converge to sanction the conclusion of the committees in the words of Lawrence & Oppenheimer (1981). The committee system is a check point for a detailed, clause by clause examination of the content of a bill, McConnell, (1967). Committees and sub-committees are where congress does most of its works. Policies are shaped, interest groups heard, and legislation hammered out, Cummings & Wise, (1997). Therefore, in assembly, where legislature possesses a measure of independence, policies may be shaped through private member initiatives. Also, amendments may be proposed to existing legislation or modification of executive initiated bills may be carried out. In all these, the place and role of the legislative committees cannot be over emphasized. Legislative committees interact with civil society through public hearings, so as to be better informed about certain developments. Public hearing by committees may equally aim at gauging public opinions or knowing what policies are acceptable to the public or some targeted groups. The final content of bills passed into law in the assembly is, thus, the products of the ground work undertaken and perfected by the legislative committees.

Therefore, a legislative committee is a group of members appointed or elected to perform a particular task in connection with the work of the assembly (Gondin, n. d.). Gondin's view is in tandem with that of Commonwealth Parliamentary Association CPA, which conceived committee as the formation or constitution of a group of members of parliament who are specially named to address a specified mandate whose terms of reference and remit are spelt out (CPA, 2002). Ojagbohunmi (2006) avers that legislative committee entails the subdivision of a house of parliament, the membership of which is usually appointed to perform some functions or carry out

certain assignments for the parent body, that is, the legislature as a whole. Evident from the definitions is that a group of people is, or may be set aside, among members of parliament and assigned a specific responsibility under the rules of the house, without any other rights than those conferred by the house that establish such a committee. Hence, it behooves the committee to operate according to the procedure of the whole house (CPA, 2002). The body, therefore, is given a role which is ultimately aimed at not only lessening the pressure of work on the floor of the house, but also at increasing the efficiency of the house in its overall responsibilities. A committee may be formed at the beginning of a session in the form of a standing committee or constituted as in when a certain development requiring some special arrangement or skills compelled the need for an ad-hoc arrangement to proffer solution or respond to an emerging development.

Committees, by this, are task-oriented bodies with a clearly defined purpose and direction, which act on behalf of the whole house, who in fact confer legitimacy on it to get some specific legislative responsibilities sorted out in a more manageable and efficient manner. This, perhaps, prompted Ojagbohunmi (2006) to argue that committees are usually composed of legislators, delegated to perform some work of the parent body more closely and in detailed manner, where the assembly would otherwise not have had enough time to carry out such responsibilities. The importance attached to the roles of the committee might have prompted Lawrence and Oppenheimer (1981) to observe that (congressional) 'policies making is committee centered'. This position rightly lends credence to the view of Woodrow Wilson who opines that whatever is to be done must be done by or through the committees (Cohen, 2002). This might have equally made Blondel (1973) assert that 'committees seem so natural to the existence and working of many legislatures...that it is difficult

to believe that assemblies could have worked for a long time without organized committees'. The committee system is, therefore, a filtering device and a legislative stethoscope by which policy proposal and other related activities are not only scrutinized but also utilized to assess the desirability, feasibility, sustainability, and healthiness of governmental policies. Thus, due to the importance of the committees to the legislative assembly, the committees may be given different powers to meet current or contingency circumstances. By this, the committees have become part and parcel of the internal operational mechanism devised by assemblies to enable them cope with their widening and demanding tasks of legislative, oversight, and investigation with efficiency and effectiveness (CPA, 2002).

The committee system can be utilized for exigency purpose, in which case it is appointed in response to a particular development at any give point or time under an ad-hoc arrangement. Some special committees are also a feature of legislative assembly and they are constituted to address issues of a specialized kind in most cases. In the Abia House of Assembly, there are regular or standing committees and the whole house is divided into various units, with each unit having a responsibility of overseeing the corresponding administrative unit or department of government. This, in the opinion of Laski (1976), enables a legislative assembly to bring its members into some organic connection with the executive departments. Hence, the best way to make the committees realize their goals, therefore, is to avoid unnecessarily large number of people in a committee. A committee should be made of some dozens of members selected, not so much as party representatives, though party representations may not be discountenanced, but the guiding principle of constituting committees must be predicated on its ability to add value to the legislative processes and activities. Laski, therefore concluded that while a number of committees may be set

up, each should deal with a single department. However different types of committees have been identified in different legislatures across the world. For instance, there may be standing committees, such as a committee on selection or ways, means and subject committee. A committee may be specially constituted as ad-hoc committee. It is typical of Britain to utilize the select and standing committee to ease the burden on the house. By this, the standing committees are set up to intervene at a certain stage in the course of legislative process and to scrutinize bills. The composition of the committees often reflects the strength of parties in the house. The select committees are not legislative committees, but rather empowered to investigate activities of governmental agencies or departments, to inform the house and the public on development in the ministries and steps being taken to bring under control any identifiable problem (Mackintosh, 1985, CPA, 2001; Jennings, 1969).

The standing committees in Canada, New Zealand, and Jamaica also perform legislative role as bills go straight to them for review after first reading. New Zealand apart from utilizing the standing committee for legislative purpose, also has the subject committees, which perform such responsibilities ranging from initiating enquires, invite persons, paper and records, and commonly takes submission from the public.

Committees scrutinize estimates and examine government performance through financial review CPA (2001). Other countries in the world like Uganda have standing, sessional and select committees, but the committees in Uganda have enormous resource constraint hampering their efficiency. In South Africa the legislative process appears more democratic as it is open to the public so that informed contribution will be harvested and thus, make the executive accountable. The United States utilizes the standing, special or select, ad-hoc and conference committees, as the congressional

making power, in fact rests on the committees. McConnell (1967) observes that fundamental control over the legislative process occurs not in the floor but in the standing committees of congress. The central committee of the Supreme Soviet of the defunct Soviet Union played a preponderant legislative role, sometime in concert with the council of ministers before the demise of communism. The legislative committees in Nigeria take the form of standing, special, ad-hoc and conference committees. The Italian experience in committee system appears more far reaching because of detailed activities that are assigned to specialized committees. Besides the standing committees, there are rules, elections and library committees in Italian Parliament. (Adams & Barile, 1966; Schapiro, 1977; Price; CPA, 2001).

Committees are the livewires of a legislature, which see to the final processing of a bill into law. It is difficult to have a meaningful law to regulate the affairs of the people without the painstaking efforts of members of different committees, who from the point of its proposal, debate matters concerning a bill, correct errors in it, make amendments, and sometimes withdraw the bill for representation (Fashagba, 2009). The House is relieved of the pressure of legislative work and the committees enhance the speed and efficiency of the legislative House in implementing its statutory duties. The effectiveness of the committees largely depends on its composition. For instance, Smith (1970), Moodie (1961), and Godin (n.d.) found a common front in accepting that a committee of small size performs better than where the size is relatively larger. This is because, as Smith (1980) argues, a number of small groups are less amenable to government control than a single large one. Moodie (1961) further observes that, a small size standing committee will not only encourage a more intimate atmosphere but also particularly favorable to the back bencher members of parliament who are able to air their views on issues at the stage of deliberation. Godin further asserts that

committees should, however, be large enough to be reasonably representative of the primary assembly, yet it should not be small enough to become unwieldy for dealing with details. When a committee is made up of small number of people and the body enjoy some degree of continuity over a relatively long period of time, a degree of specialization results, Smith (1980). The practice in Nigeria appears to aptly reflect the forgoing view point; this is because legislative committees in Nigeria are often of average size or made up of less than or about a dozen of legislators.

The Nigerian committee system is composed of both standing committees and special task or purpose committees. While the standing committees are formed at the beginning of a session, the special task or purpose committees are formed as issues emerge to handle such matters. The latter may require members with specialized knowledge or skills. This type of committee can be formed at any time, as the need arises (Agunyai and Ojakorotu, 2021).

Parliamentary committees are actively involved in liaising between the public and parliament over bills, complaints, petitions, probes, accountability, welfare, and development, among other concerns. It would be very difficult for the House to legislate and address all matters and demands placed before it, without various committees in charge of specific functions. Parliamentary committees enhance citizen-parliament relations and consolidate the country's democracy through its representative function. The committee system is the mouthpiece of the people, as complaints, petitions, bills, and other issues of concern to the public are directly fed into the country's political system through this parliamentary structure (Fashagba, 2009).

In essence, the relevance of committee system is that they perform the role of specialized study groups in providing details on issues brought before them. They

facilitate efficient delivery of core legislative responsibilities, which is why committee system is considered as the powerhouses of the Legislature (PARP, 2010). In all, the division of the whole house into smaller units has the basic objective of promoting efficiency in the performance of the legislative and other related roles of the assembly, this is the underlying reason for the utility of committee system in virtually all forms of liberal representative democracy (Fashagba 2009). In summary, the committees are designed to:

- Promote legislative efficiency and effectiveness,
- Make for detailed examination of bills and other legislative assignments,
- Provide for legislative oversight of the Executive branch of government and other • matters related thereto,
- Promote public participation in the legislative process through public hearings, interactive sessions, and investigations, among others.

It is true that when a committee is made of small number of people it enjoys some degree of continuity over a relatively long period of time, a degree of specialization results (Smith, 1980). But, Gondin insists that committees, should, however, be large enough to be reasonably representative of the primary assembly" yet small enough not to become unwieldy for dealing with details. The use of legislative committee transcends the borders of both the presidential and parliamentary system of government. The parliamentary system and presidential system depend extensively on the use of legislative committee system. The only difference between the Parliamentary and Presidential systems has to do with the use of the committee. Clem (1989) noted that the use of "committees are notably more significant in the American legislative process than the committees in the British House of Commons. The reasons for this difference according to Rod and Smith (2001) is that in the

parliamentary systems exemplified by the British House of Commons, Bills are referred to committees only after the House has voted on it and agreed with the major features”, whereas in the Presidential systems of which the American Congress represents, the core activity takes place in committee rooms. There, legislators shape bills, authorize the expenditure and scrutinize the executive.

2.1.1 The Legislative Process

According to Ayebe (2016) legislative process is the process of government by which bills are considered and laws enacted. It is an all-encompassing process which covers the preparation and drafting stage to the signing of the bill into law, while, PARP (2010), defines legislative process as a series of actions according to which a legislative proposal/bill is formulated, considered, debated, revised and approved by competent bodies according to prescribed procedures in order for it to have force of law. Originally, bills were read (quite literally in the days before printing was common) three times so that members had a clear idea of what there were voting on. As of today, bills have three readings but more stages have been added. The reading and stages occur in the following order;

- The formal introductions of a bill are referred as the first reading the first reading entails the clerk reading out the full title of the bill. This practice was prevalent in England when most of the members were illiterates. In modern times a member introducing the bill will either present at the table of parliament or more rarely move to introduce the bill. The printed copy of the bill is distributed to legislators together with an explanatory memorandum which describes the effect of each provision, there is no debate at this stage. The date for the second reading may be fixed.

- The second reading of a bill is the critical stage in the passage of a bill. The stage entails a discussion of the general principles of the bill. The members(s) who introduced the bill will speak in its favour, pointing out its main principle of the bill. If the bill is unopposed then it will be read for a second time. However, if the bill is opposed, then a debate on the principles of the bill will take place. Thus, the second reading determines whether a bill will be defeated or go further. The limitation at this stage is that the desirability or otherwise of the legislative proposal is based on its general principles (merits of the principles behind it) and not considerations of details of the bill.
- Bills are then referred to the appropriate standing committees having regard to the subject matter of the bills. However, bills may be preferred to two or more standing committees. Nevertheless, it is the report of the full committee that will be presented for consideration of the legislative body. In some cases, the bill may be referred to the committee of the whole. The committee stage is a critical stage in the life of a bill. It involves a close consideration of the detailed provisions of a bill. The bill is examined clause by clause, line by line and word for word. This stage offers the members an opportunity to amend the provisions of the bill. This may also entail conduct of public hearings and other forms of consultation. The final work of the committee is however conducted in its executive sessions. Amendments to a bill are proposed, debated upon and if possible accepted by members. The heaviest lobby takes place at the committee stage. This is largely because the recommendation of a committee goes a long way to determine the fate of a legislative proposal. It is not easy to override an unfavourable committee report. Once the committee

has amended and adopted the bill, it reports the bill as amended to the whole house.

- The report stage takes place in the parliament and it gives the parliament a last chance to examine and further amend the bills as reported by the committee. If there are no report stage amendments, then the House proceeds to third reading.
- The final stage of a bill in a legislative house is the Third reading. During this time the general principles of the proposed measure are discussed again. It is usual that only amendments of slips in the wordings of the bill are made. No major changes can be made to the bills at this stage, though the Assembly still has power to reject a bill favourably recommended by a committee. A bill is regarded as being passed if it's supported by the required majority.

2.1.2 Importance of Legislative Committees

Nwosu (2014) identified the legislative committee as one of the dynamics of the legislative practice. She avers that the success of the legislature is a function of committee performance and that this performance is also a function of resources and facilities at their disposal. The importance of the committee system in the modern legislative business of Nigeria is not in doubt, considering the powers accorded to it by the Constitution. Specifically, section 62 (1-4) and section 103 (1-3) stipulate types of committees that can be constituted, their purpose, procedures for establishment, and the jurisdiction and power of the committees. Thus, the use of committees to carry out legislative duties on behalf of the House is lawful and has occupied a place of pride in the Nigerian polity, even though it appears that the constitutional provisions are discretionary because of the prevalence of the phrase, "may appoint a

committee.” According to the National Democratic Institute for International Affairs (NDI) (1996) the committee system can be credited for the following:

- Committees allow the legislature to perform simultaneously numerous important functions that otherwise might not be conducted at all. These matters may include: detailed review of proposed legislation; oversight of executive branch activities; examination of and reporting on policy issues; and special investigations.
- Committee proceedings operate under less formal rules of procedure than those that govern the entire legislature (plenary or floor proceedings). Committee members are able to discuss issues informally and to develop relationships with committee colleagues who represent other parties. That creates a collegial environment in which compromises on small matters and technical improvements in legislation can be agreed upon expeditiously.
- Committee members become authorities on matters within the jurisdiction of their committees and are acknowledged as such by their legislative colleagues, the press and the public. Committee membership is thus a means of establishing leadership within the legislature and visibility in the public arena.
- Committees that hold public meetings, thereby allowing citizen and media attendance, educate citizens on important policy issues, the likely implications of proposals and about the democratic process. Open meetings allow committees to gain public understanding and build support for the legislature's subsequent decisions.
- Committees that conduct public hearings provide an opportunity for academic, business and nongovernmental experts to present their views. There are two types of hearings: hearings that review the executive's implementation of

previously enacted laws (oversight) and hearings that discuss and review draft legislation. In either case, outside experts contribute valuable information and guidance to committee deliberations. They can also provide important authoritative support for committee proposals and decisions.

2.1.3 Constitutional Provision for Legislative Committee in Nigeria

According to Fashagba (2009) the importance of the legislative committee system in the legislature in modern times is not in doubt. The relevance of such miniature assembly was, therefore not lost on the successive framers of the Nigerian constitution. Hence, specific provisions were inserted into the 1999 constitution of Nigeria on the necessity to create committees both for special and general purposes. Such constitutional provisions although appear discretionary, because of the phrase ‘may appoint a committee, its relevance is not underscored by its constant use by the legislative assemblies.

Consequently, the legal basis for the existence of a committee is found in Section 62, sub-section 1-4 and section 103, sub- section 1-3 which clearly spelt out the procedures, the nature of committees that can be constituted, and for what purpose a committee could be constituted, the procedures for constituting the committees, and the limit of the power the committees may exercise.

This is evident, for instance, in the content of Section 103, Sub-section 1-3 of the 1999 Constitution of the Federal Republic of Nigeria which states that:

- (1) A house of assembly may appoint a committee of its members for any special or general purposes as in its opinion would be better regulated and managed by means of such a committee and may by resolution, regulation or otherwise as it thinks fit, delegate functions exercise by it to any such committee.

- (2) The number of members of a committee approved under this section, their term of office and quorum shall be under this section, their term of office and quorum shall be fixed by the House of Assembly.
- (3) Nothing in this section shall be considered as authorizing a House of Assembly to delegate to a committee the power to decide whether a bill passed into law or to determine any matter which it is empowered to determine by resolution under the provisions of this constitution, but such a committee of the House may be authorized to make recommendations to the House on any such matter.

The provision for legislative committee at the State under Section 103, Sub-section 1-3 is a reproduction of the provisions for committees in the National Assembly under section 62, 1-4 of the 1999 constitution with only difference being the substitution of the phrase “The Senate or the House of Representatives” with “a House of Assembly”. These constitutional provisions therefore remain the cornerstone upon which the legislative committee system of the Nigerian legislative assemblies leaned.

In Nigeria, the legislature has provisions for three types of committees:

Standing Committees

Standing committees are committees appointed under the Standing Orders/ rules of both Senate and House of Representatives. They exist as long as the government or the Assembly which appointed them exists. The Standing Committees derive their mandate and automatic referrals from the Standing orders and rules; they have the powers to report their findings and proposal to the House for consideration.

Special Committees:

Special Committees are Ad-hoc Committees which are appointed by the legislature to deal with specific matters. Such Committees are set up by simple resolution of the

House. The resolution must specify the purpose, powers, membership strength and usually the date on which it is to report to the House. These Committees are called Select Committees because their special functions facilitate the legislative process and enhance effectiveness in the conduct of business in the House. Their life span terminates either at the end of the legislative session or as they submit their final reports. They are called Special Committees because their special functions facilitate the legislative process and enhance effectiveness in the conduct of the business in the House.

Joint committees: in a bicameral legislature such as the National Assembly the is the existence of Joint Committees, which are composed of a proportionate number of members of both chambers. Section 62(1) of the 1999 Constitution empowers the National Assembly to set up such committees. These committees are set up on the premise that two chambers have equal status in the parliament. The purpose of setting up such committee is to deal with administrative or investigative matters.

Conference Committee: This is an important type of Joint Committee in a bicameral Legislature. It is an ad-hoc committee of equal number of legislators from both the Senate and House of Representatives. Their mandate is to resolve differences in the version of a Bill or resolution passed by each House. The conference members are usually appointed by the Senate President and the Speaker, respectively.

Functions of Standing Committees:

The functions of each Standing Committees of both Houses of National Assembly are itemized in the Standing Rules/Orders of the respective Houses. However, the common functions usually performed by most Standing Committees include the under listed, amongst others:

- Conduct oversight on executive agencies under their jurisdiction.

- Conduct hearings on Bills and other matters assigned to them thereby allowing for expression of opinions by individual or on matters of public interest.
- Examine measures and Bills assigned to them in a detailed manner.
- Consider annual budget estimates of the executive agencies under their jurisdiction.
- Simplify the complexity and technical details of legislative proposals referred to them in order to make the work of plenary House less cumbersome during the final stage of decision making on legislative proposals.
- Play a vital role in the creation of Standards and allotment of roles to legislators and host of others.

2.1.4 Legislative Committee System as a Fulcrum of Legislative Process

Legislative Committees are task-oriented bodies with clearly defined purpose and direction, act on behalf of the whole house, who confer legitimacy on it to get some specific legislative responsibilities sorted out in a more manageable and efficient manner as posited (Fashagba, 2009). This perhaps prompted Ojagbohunmi (2006), to argue that the legislative committees are usually composed of legislators, delegated to perform some work of the parent body more closely and in a detailed manner, where the assembly would otherwise not have had enough time to carry out such responsibilities. The importance attached to the roles of the committee might have prompted Lawrence et al (1981) to observe that congressional ‘policies making is committee centered’. This position rightly lends credence to the view of Woodrow Wilson who opines that whatever is to be done must be done by or through the committees, Cohen (2002). This might have equally made Blondel (1973), to assert that ‘committees seem so natural to the existence and working of many legislatures...

that it is difficult to believe that assemblies could have worked for a long time without organized committee.

A survey of extant literature on legislative studies suggests there are three main activities, which are in fact reflective of the miniature assembly status of the committees. These activities include legislative, investigative, and oversight responsibilities (Cummings & Wise, 1997). The degree to which any of these functions is performed by the legislative committees varies from country to country. For instance, while scrutiny of administration, by ways of inquiry and hearings, serves as legislative investigative mechanism in the United Kingdom and the United States committees, the legislative committees of most other states of the world, as Smith (1980) argues, tend to concentrate on legislation while avoiding becoming involved in matters of administration, perhaps due to the poorly developed hearing technique. Perhaps, this seeming ethnocentric view of Smith's appeared vitiated by recent development in some of the legislatures that Smith considered irredeemably weak. A justification for this is evidenced by the roles that the legislative committees have played in a country like Nigeria and maybe other countries, especially on the return of the latest democracy.

On a general note, committees perform the valuable roles of division of labor and specialization, as legislators become specialized and more knowledgeable in their areas possibly than the bureaucrats in the executive arm, especially in the developed countries. Committees are forum for reconciling inter political party's conflict and differences and are natural arenas for political bargaining and legislative compromise. This, perhaps, explains why Cummings and Wise (1997) observe that if a committee has approved a bill, other members generally assumed that the committee has considered the legislation carefully applied its expertise and made the right decision.

This further lends credence to the view of Woodrow Wilson who argues that congress does not involve in serious discussion but merely meet to sanction the conclusion of the committees.

While committees basically process legislation, they combine this with other responsibilities, such as educating the public on important issues through hearings and investigations (Cummings & Wise, 1997). Committees provide a bridge between the government and the people, especially through their investigative role. They also constitute effective tools for reviewing and scrutinizing public account, investigate and debate political issues and travel far and wide to seek for evidence (CPA, 2001). The legislature also performs the important task of oversight. Oversight function, according to Greenberg and Page (1995), involves ensuring that watchful eyes are kept on the executive arm so as to ensure that provisions of the laws that the assembly has passed are not only implemented but also to prevent possible abuse of power by its officials, including the president.

2.1.5 Structure of Legislative Committee.

According to Nwosu (2004), the legislative committee is composed of the Chairmen, Vice Chairman and Members. There are also the committee Secretaries and other staff who perform administrative duties. The committee procedures are regulated by rules of both Senate or House of Representatives rules as the case may be. Every committee has a chairman who is supposed to be elected by members of the committee. Presently what obtains in the two Houses is that the chairmen are appointed for committees by the leadership of the House.

Duties of the Chairman.

The chairman of a committee has a wide range of powers. The standing order of the House bequeaths on the chairman the following responsibilities: -

- i) Convenes committee meetings authorized by the committee.
- ii) Presides at every committee meeting. In his absence the deputy presides
- iii) Maintains order and decorum at committee meetings
- iv) Administers oath or affirmation as required to witness appearing before the committee.
- v) Endorses all committee reports and resent them to the House in plenary.
- vi) Directs the preparation of committee budget.
- vii) Presents and defends the budgets adopted by the committee to the house services committee.
- viii) Approves payment of member's expenses and claims relating to committee business and claims relating to committee business.
- ix) Approves request for advances required by members for travel purposes to be submitted to the clerk of the House or Senate.

Clerk/ Secretary of the Committee

The clerks to the committee are impartial servants in the legislative chambers assigned to work with the committees by the clerk of the House. The clerks are principal advisers on the rules, procedures and practices of the house and committees. Although the clerks work closely with the chairmen of the committees, the clerk's advice is available to all members of the committee. The clerk act as principal advisers on parliamentary procedures and practices and are responsible for the overall administrative operations of the committees, subject to the direction of the chairman and members of the committees. The clerks have full responsibilities for the day-to-day administrative requirements of their committees and provide recommendations and guidance on such matters t the chairman. It also includes amongst others

- i) Keeps all committee records, write procedural rulings for use by chairman and draft motions for use by members of the committee.
- ii) They conduct correspondences, draft agenda for chairman, arrange meetings and send notices of meeting to committee members and relevant stakeholders.
- iii) Provide for copying, distributing and translating materials to committee members.
- iv) Arrange witness attendance and payment of their expenses when authorized by the committee.
- v) Administer the oath of affirmation as required to witness appearing before committees.
- vi) Prepare the minutes of proceedings, coordinate the administrative work of experts and support staff.

2.2 Theoretical review

2.2.1 General overview of the Legislature

The legislature is the heart and soul of representative democracy. It is that arm of government that reflects the popular or common will of the people and articulates the interest of the constituent units of the country. In other words, the legislature is regarded as the most important arm of government because it is through it that the will of the people is expressed. No wonder Mezey (1979) sees it as the supreme governing power. Hamala I (2010), notes that ‘the legislature of any democratic nation occupies a central position in the machinery of government and that is why, traditionally the legislature is responsible for making laws in order to guide the government on how to rule and check the conduct of the people. He avers that this formal lawmaking power, gives the legislator the capacity to shape or at least influence public policy outcome through the laws they enact. Therefore, the

legislature is treated with respect as the first arm of government and this aptly captured the thought of Heywood (2003) to the effect that “they are usually accorded pride of place, being recognized before executives and judiciaries”.

In the opinion of Olufemi (2010), legislature is the embodiment of the sovereignty of the people in any democratic setting. He further opined that, it constitutionally makes laws for the welfare of the generality of the populace, serves as a democratically empowered agency of restraint on the executive arm of government and forum for the mobilization of popular participation in the broad governmental process.

As the accredited body of the representatives of the people, the legislature wields enormous powers. It is through the legislature; the citizen of the nation expresses their wishes by making their feelings known on issues affecting their general well-being. The legislators as the representative of the people through motions bring up burning issues that affects his constituents. Therefore, the state of the legislature is a crucial indicator of the state of health of a democratic government and the performance of the legislature indicates the level of the democratic development of the country. Remy (1994) states that the significance of the legislature can be discerned from Abrahams Lincoln’s classical definition of democracy during his Gettysburg address of 1863, as “government of the people, by the people and for the people”.

The legislature of any democratic nation occupies a key or central position in the machinery of government. It is considered the first arm of government, representing the very essence of democracy. For without the legislature, which consists of the representative of the people, there cannot be democracy. As poignantly expressed by Heywood (2003) the legislature is the symbol of popular representation and also the foundation of liberal democratic governance.

Meny (1979) defines legislature as “predominately elected body of the people that acts collegially and has at least the formal but not necessarily the exclusive power to enact laws binding on all members of a specific geopolitical entity”. Having the powers to make laws and checkmate the other arms of government, the legislature forms the most important buffer against tyranny given that it is a representative institution ideally established to represent citizens and reflect the range of citizen’s preference as expressed in elections.

2.2.2 Types of Legislatures

According to Johnson (2005), there are essentially two ideal types of legislatures, the Arena and Transformative legislatures. Most existing legislatures (in Western Europe) fall somewhere in between these two types. Arena legislatures focus on discussion and debate. This is best exemplified by the British House of Commons. In other words, there is a chamber or arena of debate. The tasks of an arena legislature are to debate, inform the public and publicly present preferences to the executive. On the other hand, Transformative legislatures focus on the manipulation or formation of legislative proposals. The content and goals of legislation are heavily informed by the preferences of the legislature. This is exemplified by the US congress. The task of a transformative legislature, are to create, amend and adopt legislation that may originate from the executive.

As Polsby (1975) notes that the two types of the legislatures are fundamentally different in terms of what drives them and controls their activity. Arena legislatures are controlled externally, generally by the national political party organizations, while Transformative legislatures are controlled from within through the committees and parliamentary party apparatus. Legislatures also differ in other aspects. For instance, legislators may be elected, appointed, or even selected by inheritance or combination

of these methods. Members may be elected on the basis of population in the form of equal sized constituencies or regions or states. In some European countries, the legislatures contain multiple layers. However, most legislatures today are either unicameral or bicameral. Bicameral legislature consists of a lower called the House or the upper chamber, called the Senate.

2.2.3 Evolution of legislature in Nigeria

According to Ola (2016) Legislative activities pre-date the Nigerian independence. This can be traced back to 1861 when the colonial government officially occupies Lagos and the Colonial Governor established a Legislative Council to oversee the affairs of the Colony. The appointed members were ten, only two of them were Nigerians. The Legislative Council only served as an advisory body to the Colonial Governor without performing any law-making function. The function of law-making was then the responsibility of the colonial governor.

In 1900, the British Government established the protectorates of Northern and Southern Nigeria in replacement of the administration of the Royal Niger Company and the Niger Coast. In 1906, the colony of Lagos was annexed to the Southern protectorate by the proclamation of the colony Governor. The Northern and Southern protectorates were amalgamated to form the colony and protectorate of Nigeria in 1914. After the amalgamation, Nigeria Council was established as a new legislative body, thirty-six members were appointed by the colonial government to represent business and other interests. As an improvement to Nigeria representation in Legislative Council, six members of the Nigeria Council were Nigerians. The Council can only perform the role assigned to it by the colonial government that appoints its members. Hence, it lacks legislative powers and performs no legislative functions. As an improvement to the composition and functions of the legislature, the 1922 Clifford

Constitution made provisions for elections of four Nigerians out of the total Council of forty-six members, while the remaining forty-two were either appointed, selected or nominated by the Colonial Governor to represent business and private interest in the colonial administration.

The subsequent Nigeria constitution, that is, 1946 Richards Constitution and 1951 Macpherson Constitution retained the provision for legislature and improved on it by increasing the number of elective Nigerians into the Legislative Council. At the Nigerian independence in 1960, the Westminster Parliamentary system of government with bi-cameral legislature was adopted. At the federal level there were, Senate and House of Representatives respectively, so that there can be proper scrutiny of bills before passing to laws. At the regional levels, the House of Chiefs and House of Assembly exist concurrently. The first republic Senate was made up of 44 members while the House of Representatives was made up of 312 members that were elected nation-wide to serve in the first republic National Assembly. The second and aborted third republic retained bi-cameral mode of legislation at the federal level but was renamed as the National Assembly. At the state level, the bi-cameral practiced in the first republic was replaced with unicameral legislature known as House of Assembly. In the second republic elections were conducted in nineteen states of the federation to both Senate and House of Representatives. The House of Representative members in the second republic were 450 while the Senate was made up of 96 members. This was made up of one member from each of the territorial constituencies which the nineteen states were divided. The reason for this was to allow for equal representation in line with the principle of federalism and practice of federal character (Ola, 2016).

The fourth republic witnessed a change and improvement in the National Assembly representation. Each of the thirty-six states in the country was divided into three

geographical zones of North, Central and South. It is mandated for each of the zones to elect a senator to the Senate and one senator representing the Federal Capital Territory (FCT) to have equal representation, notwithstanding the inequality in the numerical strength of the zones. The bi-cameral legislature in the fourth republic composed of 360 members of House of Representatives and 109 members of the Senate. Membership of House of Representatives from each state are based on the numeric strength of each state, representation was not base on equal number from the states like in the Senate (Ola, 2016).

Ola (2016) added that, the Nigeria Legislature can be classified into colonial and post-colonial. The colonial legislature covers the legislative institution in place between 1861 and 1959, while the postcolonial legislature is the legislative institution established since the political independence in the country in 1960 till 2015. The period under post-colonial legislature can be categorized into first republic (1960-1966 parliamentary system) the system was characterized with fusion of powers between the executive and legislature. Second republic (1979-1983 presidential system) the major feature of government in this republic was the introduction of separation of power among the three organs of government. The third republic legislature was under the military regime (1992-1993) and the last which is the fourth republic legislature is the current democratic regime which started in 1999 and is still ongoing. It is interesting to note that the fifth Assembly of the fourth republic and the eight Assembly of the legislative institution in the country has just been inaugurated early June 2015. This has been without military interruption since 1999 unlike the previous republics. A point worth noting here is that none of the legislature in the colonial era had legislative power. They were merely symbolic for formality purpose in other to give the impression that the Nigerians were represented in the colonial

government decision making-process. Owing to the above observation one can as well submit that legislature in the colonial era was instituted to serve colonial agenda (Ola, 2016)

The Richard Constitution of 1946 made changes in the country's political system which include the emergence of three regional legislative structures. The 1951 Constitution increased the number of the elected members in the central legislature, the name which was later changed to House of Representatives. As a further improvement in the process, the 1954 Constitution allows for the majority of both the House of Representatives and Regional Assembly members to be elected and subsequently have Speaker for the first time (Ola, 2016).

2.2.4 Roles/Functions of the Legislature

According to Yinka (2002) it has become contentious as to what the principal functions of the legislature are. He has argued that law making should never be seen as the sole function of the legislature since evidence abound that other governmental bodies also make laws, such as those in position of executive, courts of law and bureaucracies often perform this same function of law making. In the same vein, Wheare (1963) argued that "law making should not be perceived as the dominant function of the legislature, but that legislatures should be thought of as: Agencies of political recruitment that could represent the views of the people to non-legislative elites in the executive and bureaucracy, that could educate and inform the public on major political issues. He went further to state that legislators were effective instruments for nation building and national integration, that could have the effect of mobilizing public support for a regime and thereby legitimizing the political system". Arguing in the same vein, Mezey classifies legislative activities into three broad categories: Policymaking, Representation and System Maintenance activities. He

argued that the legislature often plays interventionist roles without making laws of such intervention matters.

Appadorai (1975) classified the functions of legislature as legislation, administration, financial appropriation and ventilation of grievances. In a study conducted by the Economic Commission for Africa (ECA in 2002) titled "Role of Legislature in Promoting Good Governance is capture thus: "the parliament or legislature plays an important role in the life of a nation." The following three roles were attributed to it: (a) make new laws, change existing laws and repeal laws which are no longer needed; (b) represent and articulate the views and wishes of the citizens in decision making process and (c) oversee the activities of the executive so that the government is accountable to the people. It is on this ground that he further argues that, achieving good governance requires the existence of a strong, effective and efficient parliament. Specifically, legislatures across democracies, including Nigeria, are expected to carry out the following functions: legislation (making rules or laws), representation (acting as the link between the government and the country's citizens), scrutiny (providing oversight), political recruitment (ratifying appointments made by the executive), legitimacy (openly debating public affairs and the performance of government), and conflict management (Li-Ann, 2021).

Such roles are similar to those of the legislature in Nigeria, which include legislation, oversight, and representation, perhaps leading to the conclusion of A. Jude Momodu and Gambo Ika Matadi (2013) that legislatures play a critical role in the promotion of rule of law and public accountability in democratic regimes. However, Heywood (2003), outlines the principal functions of the legislature to include representation, legislation, scrutiny and oversight, political recruitment and leadership development. Other scholars have included conflict resolution and quasi-judicial and administrative

functions among others. The conflict resolution function involves compromises among interest groups, conflict regulation and furtherance of national unity. In the case of political recruitment and leadership development, legislatures have overtime often served as major channels of recruitment, providing a pool of talent from which leading decision makers emerge. In the performance of quasi-judicial and administrative functions, legislatures punish members of parliament/public, suspend members of the executive and ratify executive actions. When the legislatures perform these functions, they connect citizens to their government by providing a place where their needs can be articulated, and giving them a say in shaping the rules that govern them and providing them with recourse if government power is abused. The major functions of the legislature are explained further as below:

Law-Making: The primary function of the legislative arm of government is law-making. Law-making is an interesting process which involves passing of motions into resolutions and bills into laws with main aim of contributing to national development and defending the sovereignty of the country. Although the extent of legislative involvement in law-making vary from weak under parliamentary democracy to strong under the presidential system, but the executive in both systems submit it proposal to the assembly for deliberation (Davies 2004 quoted by Fashagba, Davies and Oshewolo 2014:104). In a modern democracy the legislature should be the strongest assembly to regulate other arms of government and for democratic stability. The Nigeria legislature has not measure up to expectation compare with the legislature in the developed democracy

Constitutionally and specifically under Section 4 (2) of the 1999 Constitution Section 58 (1) expressly provides that the law-making powers of the National Assembly can be exercised by bills passed by National Assembly and assented by the President.

Likewise, section 9 of the Constitution empowers the National Assembly to alter any part of the 1999 Constitution. This however requires the support, by way of resolution, of the House of Assembly of two-third of all the states of the Federation. The House of Assembly of a State has power to make laws for peace, order and good government of the State or any part thereof with respect to matters with which it has power to make laws under the Nigerian Constitution. Similarly, a Local Government Council has power to make bye-laws for a Local Government Area, in respect of the functions assigned to it by the Nigerian Constitution, or any other law (Gidado, 2012). This is why in a democratic setting, the Legislature takes precedence over the other two arms of government, for it represents the sovereign will of the people. Only the Legislature is competent to express the will of the people in form of legislations. However, it is not enough to enjoy this enormous power without the corresponding responsibility of ensuring that the law-making process in the legislature is a reflection of a credible procedure addressing the needs of society.

Oversight Function: 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. These duties involve conducting investigation on the activities of public office holders to ensure there is compliance with their rule of engagement. Despite the oversight functions of the National Assembly, it has severally been accused and found guilty of scandal. Most of these scandals were committed while performing the said oversight function because the exercise is perceived as a money-making venture, an opportunity for self-enrichment by members of the committee saddled with the responsibility to perform such assignment. Examples of this include, the Ad-hoc committee set up by the House of

Representatives to investigate fuel subsidy abuse between 2009 and 2011. The committee investigating the fuel subsidy abuse engaged in bribery scandal of \$650.00. The two reasons for engaging in this act were for financial enrichment of committee members and the second was to exonerate the accused individual oil marketers. Also, the president and vice president (Chief Olusegun Obasanjo and Alhaji Abubakar Atiku) were respectively investigated by the National Assembly for unconstitutional withdrawal and misappropriations of public funds from the account of the Petroleum Trust Development Fund (PTDF). The report of the investigation indicted the vice president of financial misconduct with public fund. Under the administration of President Goodluck Jonathan, his minister of Finance, minister of Interior and minister of Aviation were respectively scrutinized and found guilty of abuse of office by the National Assembly.

As part of the oversight function of the parliament, it also scrutinizes individuals nominated for appointment by the executive to represent the interest of government as either Minister, Ambassador, chairman of parasternal or board, 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 appointed to serve. The National Assembly has been performing this responsibility since the inception of the fourth republic as part of its functions to ensure stability of the polity and even representation. For example, there have been occasions where individuals nominated for appointments by the executive were turned down by the parliament for one reason or the other. The oversight function in modern democracy is to regulate the conduct of other organs of government and that of the public office holders. This

function will no doubt strengthened democracy, reduce corruption and accelerate national development.

Representations: According to Agena (2005) one of the functions of the legislature that distinguishes it from other law-making agencies is the representativeness of the legislature. The Assembly is the intrinsic link between the citizens and the state and that is why Yinka (2005) quotes John Stuart Mill as saying that “the legislature acts as the eyes, ears, and voice of the people”. And further that: “The proper office of the representative assembly is to watch and control the government to throw the light of publicity on acts, to compel a full exposition and justification of all of them which any one considers questionable, to censure them if found wanting”. Also, the Assembly provides the opportunity for the legislators to play the dual role of a delegate and a trustee. Delegate in the sense of representing, the interest of his constituency and as a trustee in the sense that makes laws that affects the entire State and presumably intended to be for the good of the state as a whole. Yinka (2005) avers that representation and an effective legislature connects people to their government by giving them a place where their needs can be articulated which Polsby (1975) calls “nerve ending”.

Also, members of the parliament perform their representational function through 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. Provision of the above-mentioned services and others are just a clever way of justifying the huge amount the Legislatures collect as members of the National Assembly for constituency allowance every quarter. However, as part of their oversight functions, they are to ensure provision of enabling

environment for self-actualization of the citizens they are representing through making of relevant law (Ola, 2016).

2.3. Empirical Review

2.3.1 The legislative Committee of 7th Abia State House of Assembly

Section 103 of the 1999 Constitution of the Federal Republic of Nigeria and the Standing Rules (SR. 58-60) Of the Abia House of Assembly empowers the legislature to appoint committee for special and general purpose. Specifically, Section 103 states that; “A House of Assembly may appoint a committee of its members for any special or general purpose as its opinion would be better regulated and managed by means of such committee, and may by resolution, regulation or otherwise as it thinks fit, delegate any functions exercisable by it to any such committee.

According to Akena (2005) the investigatory powers of the House or any committee are encapsulated in Sections 128 and 129 of the 1999 Constitution. In carrying out its investigatory functions, Section 129 states that: “For the purpose of any investigation under Section 128 of this constitution, and subject to the provisions thereof, a House of Assembly or a committee appointed in accordance with Section 103 of this Constitution shall have powers to:

- a. Procure all such evidence, written or oral direct or circumstantial, as it may think necessary or desirable, and examine all persons, witnesses whose evidence may be material or relevant the subject matter;
- b. Require such evidence to be given on oath;
- c. Summon any person in Nigeria to give evidence at any place or produce any document or other things in his possession or under his control, subject to all just exceptions, and

- d. Issue a warrant to compel the attendance of any person who having been summoned to attend, fails, refuses or neglects to the satisfaction of the House of Assembly or the committee, and order him to pay all cost which may have occasioned in compelling his attendance or by reason of his failure, refusal or neglect to obey the summons and also to impose such fine as may be prescribed for any such failure, refusal or neglect and any fine si imposed shall be recoverable in the same manner as fine imposed by a court of law.

In line with the earlier definition of legislative committee as little legislatures by Woodrow Wilson, the Abia House of Assembly in compliance with Section 103 of the 1999 Constitution of the Federal Republic of Nigeria, have outlined in details the types, functions, powers, method of reaching decisions etc for the committees set up by them. Sections 52, 58, 59,60 and 61 of the Standing rules of the Abia House of Assembly amplifies it. In carrying out its function the legislative Committees of the Abia State House of Assembly abide in the principles that establishes it.

- All the legislative Committee derives its powers from the constitution and the Rules of the House that establishes it.
- It only exercises such powers as may be delegated to it and nothing in such delegation shall be constructed as authorizing such committee the powers to decide whether a bill shall be passed into law, Section 103(3) of the 1999

In the light of the above no committee is empowered to kill a bill. A bill must be reported out of committee and its recommendation must be deliberated upon in plenary before its adoption.

Types of Committees in the 7th Abia State House of Assembly

- (a) **Special Committees:** special Committees are established by the Rules of the House and they operate through the life of the Assembly, which appointed them. The main duty is to facilitate the legislative process and assist in the smooth conduct of business as well as operations of the House towards effective law making. (S R 58(1)(a-g) provides for the establishment of the following committees.
- (b) **The Committee of Selection:** The Committee is responsible for the nominations of members into various Standing Committees of the House. Such nominations by the Committee are subject to ratifications by the House (SR,59(1). The Selection Committee consists of the Speaker, Deputy Speaker, Party leaders represents in the House and such members as the House may approve. (SR 58 (2). The Speaker is usually the Chairman of the Committee of Selection and in his absence, the Deputy acts.
- (c) **Business and Rules Committee:** Members of this Committee are nominated by the various political parties represented in the House (SR 58) (3) specifically, states the that the Committee on House Administration, Business and Rules shall consists of the Majority Leader, the Majority Chief Whip and such number of members as the House may approve. This Committee is very powerful and central in the entire legislative process. Its functions include among others the scheduling the calendar of business of the House and causing them to be reprinted on the Order Paper. (SR 59) (26), receiving and scheduling bills, motions, messages, petition, and Reports for debates (SR 59 (2a), and studying the organizations and operations of the House of Assembly

and shall recommend improvement in such organizations and operation with a view to strengthening the State legislature (SR 59(21))

- (d) Public Accounts Committee: the primary role of this committee is examination of the Public Accounts in relation to ministries, extra- ministerial departments and parastatals. The examination of their accounts must show the appropriate sum approved by the House to meet public expenditure of each ministry, as well as the Auditor-General's Report on them. The Committee is also empowered to examine any Accounts or Reports of Statutory Corporations and Boards after laying of such papers on the Table. The Committee reports its finding from time to time. The committee is very germane in ensuring probity and accountability in governance. PAC is the only committee established by the Constitution.

Although, Section 60(1) of the Standing Rules of the House provides specifically for the number of committees to be consisted by the House, the Abia House of Assembly has severally regulated this provision as permitted by Section 101 of the 1999 Constitution to suit the dynamics in governance and for effective oversight. To capture it more clearly, Section 151 states that: Subject to the provision of this Constitution, a House of Assembly shall have powers to regulate its own procedure, including the procedure for summoning and recess of the House.

On the strength of this the 7th State Abia House of Assembly created 27 Standing Committees at the commencement of the life of the Legislature. These Committees are set up along policy lines to deal with subject matters or specific areas. Accordingly, all issues relevant to particular areas are always referred to the appropriate committee for further legislative actions. It instructive to note that the tenure of Standing Committees of members is determined by the Speaker and

Leadership of the House. The composition of each of these Committees is dependent on the skills and experience of legislators and the strength of the political parties in the House, while the numbers of members serving in each Standing Committees is usually determined by the Committee of Selection. In the case of Abia State House of Assembly is always pegged at three.

In the Abia legislature, like any other parliament with strong committee systems most major legislations with occasional exceptions are referred to the appropriate committees. Legislative Committees are expected to organize public hearings on such legislations and fine tune such bills to reflect the interests of the public. It is worthy to note that all committees' assignment ends with recommendations, which must be submitted to the whole House for consideration and approval in line with Section 103 (3) of the 1999 Constitution and SR. 39 (3-6). In this connection the committee does not have the powers to decide whether a bill shall be passed into law or not. Only the Committee of the Whole has such powers.

Joint Committees: A Joint Committee is usually a combination of two similar committees in a bicameral legislature or a combination of two or more committees from the Same House. Because Abia State Assembly is a unicameral legislature a House may appoint joint Committees consisting of two or more committees within the House to examine any bill/measure, the subject, which touches on the jurisdiction of the two committees.

2.3.2 An overview of legislative activities in the 7th Abia house of Assembly

A cursory look at the activities of the legislative committees in the 7th Assembly, with empirical evidence will reveal the roles these legislative committees have played in utilizing the legislative instrumenting Abia state house of assembly to enhance legislative efficiency in the core areas of lawmaking, Representations and oversight.

An analysis of the legislative Hansard of the 7th Assembly reveal that the legislative committees had their hands full of legislative activities which ultimately had a great impact on the general wellbeing of the citizenry.

Within the period under review, the 7th Abia house of Assembly considered and passed thirty-five bills. Out of these, three were private members bill, while the rest were executive initiated bills. The most interesting aspect to us is that all the bills that were passed went through the various scrutiny for necessary detailed clause-by-clause examination. While some of the bills were amendments bill to existing bills, all others bills passed through legislative committees of the house. A good example is The Abia State Female Persons Right of Inheritance of Property Bill 2022. The involvement of the legislative committee in the process was enormous, as they were saddled with the responsibility of inserting acceptable clauses and amendments as well as deleting clauses considered unacceptable.

The involvement of the public during public hearing by the legislative committee helped in no small to shape the outcome of the bill which is targeted at addressing a seeming inequality in the society. The joy that accompanied the passage of the bill, knew no bound as it brought succor to those mothers who had only female children in their marriages and are denied inheritance as a result of not having male children.

It is instructive to note that the legislative committees apart from their law-making function, their oversight and investigative responsibilities occupied a central stage during the period. By this, the various standing committee of the 7th assembly were actively busy between 1999 and June 2022 and this is evidenced by the volume of reports submitted to the House various legislative committees and sometimes ad-hoc or joint committees that looked into the various petition from individuals, groups or organizations. Between the period under review the legislative committees handled

about (80) activities relating to legislative, investigative and oversight functions. A peep into the Hansard of the House shows that 60% of the reports were basically investigations into various expressed grievances by the citizens of the state. The members of the public who in one way or the other had their right trampled, petitioned the House for necessary interventions. These petitions were investigated by the relevant committees into these administrative injustices perpetuated either by the executive or its officials and departments. The various reports of these investigations often contain recommendations on appropriate compensations due to the aggrieved person(s).

Also, 30% of the 80 reports were reports submitted by the legislative and were essentially oversight related activities. On the spot assessment of projects budgeted for in the 2019, 2020,2021 and 2022 Appropriation Acts were sometimes undertaken by the Appropriation committee with a view to ensuring that the executive faithfully implement the budget as approved by the legislature.

One of the investigative oversights ‘activities of the legislature committees by which the legislative is not only facilitated but enhanced, is the supervision of a ministry to which a committee is specially assigned. A clear case in point is the intervention of the House committee on education on the indiscriminate increase in fees/levies by the management of Abia State University, Uturu. After consideration of the committee report/resolutions by the House and the adoption of the reports it eventually led to the reduction of the school fees of the institutions to the admiration of the parents and pupils who hissed a sign of relief.

2.3.3 Evaluation of the Performance of the Legislative committee of the 7th Abia State House of Assembly as the Fulcrum of Legislative Business.

From the study, the legislative committees serve as the engine room of the legislative business in the 7th Abia State house of assembly, thereby enhancing efficiency service delivery. In the core mandate of the House, the legislative committee have played a crucial role in the making of laws, representations and oversight. The achievement recorded in this core areas could not have been possible without the existence of a vibrant legislative committee in place.

The various committees of the House have bills, relating to their legislative committees referred to them for detailed clause by clause examination before they were passed into laws. By this action, all bills passed are bills that will stand the taste of time.

Secondly, all the bills that were passed into law went through public scrutiny in the form of public hearings by the various appropriate legislative committees.

From my findings using the yardstick of Blondel (1973), it is evident that the legislative committees have in no small measure contributed to the overall legislative activities as reported in the Hansard covering the period 2019 to 2022 are detailed matters that relate to seeking fair treatment, redress, and compensation for the individuals' members of the various constituencies of the members of the legislative assembly. Specifically, unjust administrative actions, in the form of non-payment of salary and pension, invasion or attempt to invade private properties, negligence and abuse of official power, were activities that were investigated and appropriate recommendations made.

The fact that 30% of the committees' activities relate to oversight responsibility does not only suggests evident intervention in administration contrary to the observation of

Smith (1980) but also reveals a follow up task by which the legislature ensures that policies and laws passed by the assembly is faithfully and satisfactory implemented by the relevant government agencies and departments. This is to ensure judicious use of public fund and make impact of democratic governance felt by the people of the state which is the reason for the existence of government in the first place.

2.3.4 Challenges of Legislative Committee in the 7th Abia State House of Assembly

According to Nwosu (2014) the legislative committee system is an essential part of the organization of the legislature. The composition of the legislative committee reflects as far as possible the strength of the political parties in the House and the parties are represented in the committees. The legislative committees are beset by numerous challenges that hinder them from performing efficiently.

One major constrains affecting the legislative committee from performing optimally as expected in Abia House of Assembly, is the ignorance of members of the executive arm of government. Most members of the executive arm, especially the commissioners, for example consider it an affront for an invitation for a chat by the legislature. Often times, oversight by the legislative committees is therefore, often considered an interference in the work of the ministry by any commissioner whose ministry is under the searchlight. Obviously, any commissioner who is summoned often reports such interference to the chief executive who in turn employs diplomatic means to erode the capacity of the legislature to effectively undertake its oversight responsibility.

Also, because the members of the executive and the legislative committee members belong to the same party, the see invitation to appear before the members to answer for any infraction as family affair that should be treated with levity since both belongs to the same family.

Another constrain of the legislative committees are poor funding. Often times the funds appropriated to these committees are not enough to conduct their official legislative business and this have affected their performance. The inability to finance field trips or sponsored tours of project sites on different occasions have rendered them ineffective. The problem of non-availability of fund has been blamed on the executive arm that deliberately starves the legislature of the funds required for the efficient performance of its responsibilities.

There is the issue of insufficient office space. This has remained a challenge to the legislative committees despite relative improvements in its provisions of office accommodation. It is interesting to note that a number of committee clerks and other support staff do not have befitting offices that will aid their work. Most times routine office work is done in crowded rooms originally meant for committee meetings. It is also common seen committee clerks shifting meetings from one location to the other due to clashes of meetings. The shifting or search for meetings venues often frustrates members from participating in meetings and disorganizes committee staff from doing meaningful and productive work.

Most of the legislative Committees lack basic infrastructures and operational materials. These include internet facilities and other relevant working materials and this makes collection of data difficult. Modern working materials will enhance efficiency and productivity as well as secure an enabling environment for legislative committees to operate.

There is also the lack of sufficient training workshops and exposure for members of the committees and the secretariat staff, and this has made it difficult for members of the committees to fully keep abreast of recent developments and issues bordering on legislative practices and procedures.

There has been conflict of duties arising from increase in the number of committees. Inexplicit delineation of jurisdiction of some committees has resulted in overlap and sometimes apparent duplication of functions.

There is a growing rivalry between the chairman of the various committees and the vice chairman. A number of committees' chairman sees their position as another of way of cornering government patronage and are not willing to share the pecks of office with anyone. Also, most committee chairmen are unwilling to decentralize authority to sub-committee chairman. Thus, most sub committees are idle and their chairmen are disenchanted. Consequently, a lot of pressure is often put on the leadership to create more committees. The underlying purpose for agitation for the creation of more committees is to accommodate disillusioned members.

It is a common knowledge that most leadership of the State Assemblies all over the country is mere appendage of the executive. Most State Assemblies are seen as mere rubber stamp of the executive always willing to do their biddings. The case of Abia State House of Assembly is not an exception. Hence the legislative committees cannot go hard on the executive. Most reports of the legislative committees are not complied with and the legislature finds it hard to use their constitutional instruments to check the excess of the executive. Fashagba (2009) opined that any opposition or criticism against the governor will be seen as an attack on the godfather. The implication of this is that the committees, being part of the larger assembly, are unable to dispassionately perform their oversight function

2.4. Gap in knowledge

Legislative committees are units of organization within a legislative chamber that allows groups of legislatures to review policy matters or proposed bills more closely than would be possible by the entire chamber. In many countries, referral to committee is a formal step in the process of adopting a bill. The possible roles of the committees vary from country to country, depending upon the governing system, strength and organization of political parties, available resources and other political factors. The roles of the committee include initiating and amending bills, administrative review investigations and budgetary review.

The Nigerian legislative assemblies both at the Centre and the constituent units have therefore found it indispensable the use of legislative committee system for efficient service delivery where detailed attention is given to issues or bills under consideration. And that is the reason in the opinion of Osuji (2019) the modern legislatures are often structured into strong committees for efficiency and effectiveness of legislative functions as obtainable congressional institution.

To underscore the importance of the legislative committee in a deliberative assembly the former Senate President, Senator Bukola Saraki, (2015) while inaugurating the first batch of standing committees of the 8th senate described the committee system as the veritable tool that a democratic legislature must rely on for some of its important work. The effectiveness and the ability to carry out oversight functions and expose corruption squarely rest on the effectiveness of the legislative committee system. Indeed, as the demand of modern parliament increases the need for an effective legislative committee system becomes obvious because without the legislative committee modern parliaments cannot achieve their core mandate.

In Nigeria a lot of studies have been carried out by researcher on the above subject matter at the national level and not much have ben done at sub-national and this the conviction why I decided to undertake this study. In terms of the workings of the parliament, there is huge differences between what happens at the Centre and what happens at the subnational. And from the study the internal mechanisms are more effective that at the state. The national assembly are to some extent autonomous whereas not so could be said of the state. In the centre there is the national assembly commission where there is none at the centre, and this is affecting their legislative performance.

2.5 **Theoretical Framework**

This study adopted Structural-Functionalism theory. Scholars such as Gabriel Almond and Bingham Powel (1966) were proponents of the structural functionalism theory. The theory stipulates that all political systems have interrelated structures or component parts that perform specific functions to keep the whole complex system stable and cohesive. The theory argues that for any meaningful development to occur in any political system, its interrelated parts must perform their functions as expected and according to the rules by which they have been established. The approach identifies interest articulation; interest aggregation; rulemaking; rule application; rule adjudication; political communication and systems maintenance; and adaptation through political socialization and recruitment. The legislature is one of the numerous interrelated parts or organs within a political system, with clearly defined functions such as lawmaking, control of government agencies, and representation of citizens. These functions, if adequately enforced, can stabilize and stimulate rapid socio-economic development in a country; if not enforced, the country will suffer from instability. This aptly applies to the Nigerian legislative committee system, in that

various committees in Parliament constitute the interrelated parts of the House which are saddled with most of its legislative duties. Committees are the substructures of Parliament that carry out oversight functions concerning the executive, stimulate amendment of existing bills, modify existing executive policy, and engage in the final processing of bills into law

Parliamentary committees are adjudged to be strong and viable if they can carry out their functions according to their assigned duties, the rights that have been bequeathed to them, and the rules of the house. However, the inability of the interrelated parts to enforce their functions as expected is what the theory describes as dysfunction. In reality, the character of the Nigerian legislative committees negates positive principles of the theory, which emphasize effective commitment to statutory functions to enhance a system's stability. Today, the Nigerian political system continues to suffer from corruption due to breakdown in the oversight functions of the parliamentary committees. This situation aptly aligns with an editorial report which shows that Nigerian legislators who are supposed to sustain the country's democracy with appropriate laws and checks and balances are the ones destabilizing it through their inordinate desire for corrupt practices at a time when the constituencies that they represent are in states of penury (Okafor, 2009).

CHAPTER THREE

METHODOLOGY

This chapter presented the methodology used for the study incorporating the method of data collection and types of data collected for the study. It also discusses sample and sampling techniques and finally method of data analysis. The research interests focus on the Legislative Committee System as a Fulcrum of legislative process.

3.1 Research Design

This study adopted survey design. Survey design can be described as the gathering of data from a sample case selected from usually a large population. According to Obadan (2016) research survey is very relevant in the social sciences. It entails selecting sample chosen from the population to discover the relative incidences, distribution and interrelation of sociological and psychological variables. Therefore, the questionnaires administered were designed based on the main indicators of the research questions to get the relevant information needed for the study and also for quick analysis of the data.

3.2 Population of the Study

Polit and Hungler (1999) refer to the population as an aggregate or totality of all the objects, subjects or members that conform to a set of specializations. In this study the total population was 354 persons which include the Honorable members, clerks of committees and their support Staff (Abia State House of Assembly Nominal Roll, 2022). The distribution is as follows:

Honourable members	24
Staff of Abia State Assembly	330
Total	354

3.3 Sample Size and Sampling Techniques

In line with the Leedy (2005), 20% of a population is representative enough to infer accurately of a wider population. Therefore, deducing from the total target population of the study of 354, the sample size of this study is 71 which are the 20% of the total population of the study.

S/N	Target population	Population size	Sample size
1	Honorable members (Number of committee)	24	5
2	Career Staff	330	66
	Total	354	71

The Random sampling technique is employed for the sake of administration of the questionnaire which means that the sampling for collecting of quantitative data will be determined using the simple random sampling techniques. The simple Random sampling means every individual in the sampling frame (i.e., desired population) has an equal and independent chance of being chosen for the study.

3.4 Method of Data Collection

This methodology involved administration of survey questionnaire and collection of secondary data. The research method employs both the primary and secondary data. The primary data has the advantage of giving the researcher an in-depth familiarity of the research findings, promoting accurate answers and a better understanding of the research process (Gall et al 2005). And this gives validity to what Alport (1993) said that “if we want to know about how people feel, what they experience and what they remember, what their emotions are like, and the reasons for acting as they do-why not ask them? The above reference justifies the use of questionnaire as tool of social

research. On this premise the data for this study were obtained through the use of questionnaire survey method.

The questionnaire was divided into two sections, A and B. Section a: contained the demographic characteristics of the respondents, which includes such data as name, gender, educational status, designation and number of years in the service. Section: B comprised of items about the information on the activities of the legislative committee. The researcher aside the use of questionnaires, also had behind the scene interaction with the Honorable members, and also staff of the assembly in order to get their feels about the activities of the legislative committee. The research questionnaires were administered on 71 persons, but only about 63 were retrieved.

3.5 Method of Data Analysis

The data collected were analyzed using a simple table and simple percentage. This was done by analyzing the respondents' views and/ or information that were collected during the questionnaire administered to the respondents view on the legislative committee system as the fulcrum of legislative process in the 7th Abia State House of Assembly.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

This chapter presents data collected through questionnaire. The data is presented and analyzed in accordance with the research questions in chapter one aimed at assessing the importance of the Legislative committee system in the legislature.

4.1. Data Presentation

The analysis and discussion of the overall findings is on the basis of the responses received from the respondents. In all a total of 71 questionnaires were administered, however 8 were not returned. Thus, the analysis is based on the information provided by 63 respondents that is analyzed in this chapter. To form the findings of this survey, Simple percentage was used in the analysis of data and conclusion drawn from.

Table 4.1.1. Gender Distribution of Respondents.

Gender	No of Respondents	Percentage (%)
Male	39	62.5
Female	24	37.5
Total	63	100

Source; Field Survey, 2023.

Table 4.1.1 introduced the gender representation of the respondents which comprises 39 males ((representing 62.5%) and 24 females (representing 37.5%). From the table it is obvious that majority of the respondents were male.

Table 4.1.2 Educational Status of the Respondents.

Educational Status	No of Respondents	Percentage (%)
Bsc/HND	32	50
Msc/MBA	10	16.7
Others	21	33.3
Total	63	100

Source; Field Survey, 2023

Table 4.1.2 shows that the majority of the respondents attained tertiary education.

Only a very small percentage of respondents have other qualifications.

Table 4.1.3 Significance of the committee systems in 7th Abia State Assembly

Significance of Committee	No of Respondent	% over total
Very Significant	45	71.7
Not Significant	13	20
Don't know	5	8.3
Total	63	100

Source: Field Survey, 2023

Table 4.1.3 shows that 45 respondents representing 71.7% agreed that the committee system was very significant to the Abia State House of Assembly in the discharge of its responsibility. 13% said that committees are not significant, while 10 respondents representing 5% do not know.

Table 4.1.4. Legislative Committees have been effective in the 7th Abia State House of Assembly in achieving its mandate.

Committee Usage	No of Respondent	% over total
Very well	42	66.7
Not very well	13	20
Undecided	8	13.3
Total	63	100

Source: Field Survey, 2023.

Table 4.1.4 shows that 42 respondents representing 66.7% agreed that the legislative committee to a very large extent used the committees to attain its mandate. 13 respondents representing 20% disagreed, while 16 respondents representing 13.3% were undecided.

Table 4.1.5. The use of Legislative Committee for proper oversight function to ensure Government Accountability.

Committee as a Mechanism	No of Respondent	Percentage (%)
Yes	38	60.8
No	20	32.5
Undecided	5	6.7
Total	63	100

Source: Field Survey, 2023

In Table 4.1.5, 38 respondents which represent 60.8% responded that the parliament used the committee as a mechanism for carrying out proper oversight function to ensure government accountability. While 20 respondents representing 32.5 feels otherwise, 5 respondents representing 6.7% are undecided.

Table 4.1.6: Proper Structure (Political & Administrative) exist for an effective Oversight and Accountability.

Proper Structure for Oversight	No of Respondent	Percentage (%)
Yes	34	53.3
No	20	30
Undecided	9	16.7
Total	63	100

Source: Field Survey, 2023

Table 4.1.6 in its own narrations shows that 53.3.5% of the respondents indicated that the committee has proper structure (political & administrative) for an effective oversight and accountability. While 20 responded NO which represents 30% and 9 responses were undecided which represents 16.7% respectively.

Table 4.1.7. Existence of Budgetary Provision for Committees Oversight functions

Committee Budget for Oversight	No of Respondents	% over total
Yes	18	29
No	35	56
Undecided	10	15
Total	63	100

Source: Field Survey, 2023

Table 4.1.7 shows that 18 respondents which represents 29% of respondents indicated that committees have budget for oversight functions. 35 which represent 56 % of respondents believe that the committees do not have budget for oversight, while 10 respondents were undecided. It can be deduced from table 4.1.7 that as important as oversight which is for checking the executive, the committees are not well funded to carry out its constitutional requirement.

Table 4.1.8: Capacity Building Committee for both Committee members and the Staff

Capability	No of Respondents	% over total
Yes	16	25
No	39	62.5
Undecided	8	12.5
Total	63	100

Source: Field Survey, 2023

Table 4.1.8 Shows that there was no adequate capacity building to enhance the productivity of members and staff of committees based on the information gotten from the respondents. 25% of the respondents indicated that there were adequate capacity building programmes for both members and staff, while 62.5% indicated that there was inadequate capacity building programme for members and staff to enhance productivity.

Table 4.1.9: challenges confronting committee operations in Abia State House of Assembly

Challenges	No of Respondents	% over total
Finance	10	15.8
Inadequate training	15	23.8
Political Interference	10	15.8
Lack of infrastructure	15	23.8
Corruption in the system	13	20.6
Total	63	100

Source: Field Survey, 2023

From table 4.1.9 shows that the respondents were of the opinion that; finance, inadequate training and political interferences by the executive, lack of infrastructure and corruption are the challenges confronting the successful operation of the activities of Committees in Abia State 7th House of Assembly. However, in spite of all this

challenges the positive roles played by the legislative cannot be overemphasized. There is every indication from the response of the respondents that the place of legislative committee in the life of a deliberative assembly cannot be underscored even though there are some inherent encumbrances towards the achievement of best standard practice of the committee system

Table 4.1.10: Strategies for improving Committee operations in Abia State House of Assembly

Challenges	No of Respondents	% over total
Improve Budgetary Provision	1	2
Adequate Capacity Building	2	3
Legislative Autonomy	7	11
All of the above	53	84
None of the above	0	0
Total	63	100

Source: Field Survey, 2023

In table 4.1.10 above, respondents proffered suggestion towards improving and ensuring effectiveness of Legislative Committee in the discharge of their constitutional responsibilities. In this case, 53 respondents representing 84% are of the view that, legislative autonomy, adequate capacity building and improved budgetary provisions are needed for enhancing the performance of Abia State House Assembly Committee operations.

4.2. Major Findings

Based on the data collected and analyzed above, the following are the major findings:

- i. The legislative committees played a vital role in the 7th Abia house of Assembly because it helped the House to achieve its core mandate of legislation, Representation and Oversighting functions in no small measure; which brings about meaningful development to the people of the state. This is

in line with the submission of Commonwealth Parliamentary Association CPA (2002) that, the committee system is, therefore, a filtering device and a legislative stethoscope by which policy proposal and other related activities are not only scrutinized but also utilized to assess the desirability, feasibility, sustainability, and healthiness of governmental policies

- ii. The study revealed that, the committee system of the 7th Abia State House of Assembly has no proper structure (political & administrative) for an effective oversight and accountability. However, as important as Oversight functions, the legislative committees are not well funded to carry out this constitutional mandate. This could lead to compromising the integrity and transparency of the oversight process because of times the government ministries or MDAs provide logistics for oversight functions for the legislative Committees and element of corruption cannot be ruled out in such process.
- iii. Similarly, the study revealed that, finance, inadequate training and political interferences are the challenges confronting the successful operation of the activities of Committees in Abia State 7th House of Assembly. However, there is an indication from the responses that, political interference constitutes the major single factor affecting the activities of Committees in the discharge of their constituted responsibilities.
- iv. Finally, the study revealed that for effective Committee system towards improving and ensuring effectiveness of Legislative Committee in the discharge of their constitutional responsibilities; legislative autonomy, adequate capacity building and improved budgetary provisions are needed for enhancing the performance of Abia State House Assembly Committee operations.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

This chapter is presented with the summary of the study, the conclusions and the recommendations proffered that will help in addressing some of the challenges already identified in the study that militate against the effective workings of the legislative committees in the 7th Abia state assembly. The recommendations will go a long way to enrich the discourse and if implemented will address some of the challenges encountered by the legislative committee in day to day running of their activities.

5.1 Summary of findings

Over time the roles of the legislatures have broadened and transformed to include law-making, oversight and representation and other auxiliary functions. This has given rise to reliance on the legislative committees for carrying out their constitutional functions. For instance, an investigation into any matter or oversight visit to any site by the whole house would have been rowdy, if not impossible, if the whole House were to be involved. It is in line with this thought, that the importance of the strategic roles of the legislative committees played in different democracies have been established. And that is why the important role of the legislative Committee in legislative process of the 7th Abia state house of assembly is the central focuses of this research.

Given the nature of the legislature and it's working the role of the legislative committee in the execution of its mandate by the 7th Abia State Assembly cannot be overemphasized. From the study the legislative committees played every vital role in

the life of the Assembly and one can conclude without any form of contradiction that the 7th Abia State House of Assembly relied heavily on the legislative Committee for the achievement of its core mandate of legislation, oversighting and representation. This is evident in the various reports of the various committee of the 7th Assembly. Though it is evident that the 7th Abia house relied heavily on the legislative committee for the achievement of its mandate yet it is bedeviled with a lot of problems which including over reliance on the executive for its funding, the will power to sanction erring government officials and also conclusion of specific matter on time.

5.2 Conclusion

The legislative committee has come to stay as one of the most effective and indispensable tools for world parliaments. The presence or operation of committee system is therefore pivotal to the smooth functioning of any system of government. It is important also to note because of the enormous roles and responsibilities of government in global world today, there is need for devolution of legislative powers from either the legislative or executive arms to other structures of government so as to reduce undue bottlenecks. From my findings, it is clear that, a good legislative committee is an important primary source of effective legislative leadership. Legislative committee constitutes a popular benchmark for measuring the legislative effectiveness in the state assembly. A strong legislative committee enables the legislature to engage actively in the nation's governance. The ability of any State legislature to free itself from Executive encumbrances, especially given the state of legislatures in Nigeria such legislature must free itself from the subtle control of the Executive and that depends on a strong and effective legislative leadership and a strong legislative committee system.

5.3 Recommendations

In view of the findings of this study, the following recommendations are put forward to ensuring effective legislature committee as the engine room of the legislative functions of law-making, representation and oversight.

- i. Members of the legislative committees are often untrained and unable to understand the complexities of government accounting and reporting. As a result, they are unable to offer constructive criticism of government policies. Local and international training program are necessary for committee clerks and members to keep them abreast with best practices in committee administration.
- ii. Sufficient funds should be provided to the committees so that they will be able to carry out their mandate effectively. This is essential for the committees to carry out their oversight functions effectively.
- iii. The integrity of the oversight goes a long way to determine the effectiveness of the legislature. The committees must be courageous enough to publicize their activities in order allow the public to know what they are doing.
- iv. The House of Assembly should be autonomous and independent in order to check the excess of the executive arm of government and failure to do so will result to the executive exerting undue influence on the assembly against the principles of separation of powers which will ultimately led to under development of the state.

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APPENDIX

National Institute for Legislature and
Democratic Studies/University of Benin
(NILDS/UNIBEN)
Post graduate school,
Maitama,
Abuja.
Date: _____

Dear Respondent,

RESEARCH QUESTIONNAIRE

I am **Obinna Chukwuma DENWOSU**, a post graduate student in Legislative Studies from the above-mentioned institution undertaking a study in the topic: **COMMITTEE SYSTEM AS A FULCRUM OF EFFECTIVE LEGISLATURE PROCESS: STUDY OF ABIA STATE 7TH ASSEMBLY.**

You may wish to assist me in providing the appropriate information required to contribute to knowledge in legislative and democratic matters like politics. I wish to state all information provided would be treated with utmost confidentiality and will be used strictly for academic purposes.

Your anticipated co-operation is highly appreciated.

Thank you.

Yours faithfully,

Obinna Chukwuma DENWOSU

PG/NILS/2015037

QUESTIONNAIRE

SECTION A: BIO-DATA

- (1) NAME (OPTIONAL)
- (2) GENDER: MALE FEMALE
- (3) EDUCATIONAL STATUS: TERTIARY SECONDARY OTHER

SECTION B: COMMITTEE INFORMATION

- (4) HOW SIGNIFICANT IS THE COMMITTEE SYSTEM IN 7TH ABIA HOUSE OF ASSEMBLY? _____
- (5) IN YOUR OPINION, DO YOU THINK THE COMMITTEE IN WHICH YOU SERVED ACHIEVED MEASURABLE RESULTS?
- I. VERY WELL NOT VERY WELL
- II. UNDECIDED
- (6) THE PARLIAMENT USES THE MECHANISM OF COMMITTEE TO ENSURE GOVERNMENT ACCOUNTABILITY THROUGH OVERSIGHT FUNCTION, DID THE COMMITTEE YOU SERVED CARRY OUT PROPER OVERSIGHT FUNCTION? YES NO UNDECIDED
- (7) IS THERE PROPER STRUCTURE (POLITICAL AND ADMINISTRATIVE) FOR AN EFFECTIVE OVERSIGHT AND ACCOUNTABILITY?
YES NO UNDECIDED
- (8) DID COMMITTEES HAVE BUDGET FOR OVERSIGHT? YES NO
- (9) WERE THERE ENOUGH CAPACITY BUILDING PROGRAMMES FOR BOTH COMMITTEE MEMBERS AND THE SECRETARIAT? YES NO
- (10) PLEASE HIGHLIGHT THE CHALLENGES THE COMMITTEE YOU SERVED FACED IN THE COURSE OF ITS FUNCTION _____

- (11) IN WHAT WAYS CAN WE OVERCOME THE CHALLENGES CONFRONTING THE LEGISLATIVE COMMITTEE?