

**EFFECT OF LEGISLATIVE OVERSIGHT ON SECURITY
AGENCIES IN NIGERIA: AN ASSESSEMENT OF THE NSCDC,
THE POLICE AND THE ARMY**

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ABSTRACT

The study was motivated by the increasing challenge posed by insecurity in Nigeria and its potential to draw Nigeria backwards. Although the Executive Arm of the Government had the constitutional role to implement laws and policies that would ensure adequate security in the country through its multiple agencies, the National Assembly was expected to complement that effort through its oversight roles. This study was, therefore, embarked upon to investigate the oversight role played by the National Assembly in this important matter. Along this understanding, the study identified three objectives namely: Determine the ways the 8th and 9th National Assembly carried out oversight of the security sector in Nigeria, Determine the factors that influenced Legislative Oversight of the Security Sector in Nigeria and; Ascertain the effectiveness of Legislative Oversight of Security Sector in Nigeria. Despite the critical role of legislative oversight by the National Assembly in ensuring accountability, efficiency, and proper resource in Nigeria's security agencies, persistent and worsening security challenges such as terrorism, banditry, Kidnapping, and communal violence continue to threaten national stability and development, raising concerns about the effectiveness of these oversight mechanisms and the need to assess their impact on security governance during the 8th and 9th National Assemblies.

The study used primary and secondary sources for data collection. For the primary sources, questionnaire and interview were used to obtain information from respondents. Secondary data was obtained from publication/ text books, internet and official records. Percentages and frequencies were used to analyze data and responses collected.

vi

The study revealed that the National Assembly carried out its work in relation to the Executive Arm in a satisfactory manner; it was also revealed that the relevant legislative committees visit security agencies and that they interrogate the procurement processes of the agencies. With respect to objective two on what influenced legislative oversight of the security agencies; it was revealed that the oversight Committee had Action Plan they followed. The oversight was also influenced by the constitutional provision to do so. The legislative framework was another influence for the oversight. With respect to objective three on effectiveness of the oversight, the study revealed that there was lack of trust between oversight committee and security agencies and that the oversight of the sector did not bring about peace and harmony which made the oversight ineffective despite the enormous budgetary provisions made for the sector over several years.

The study recommended that there should be alignment of the roles of the security agencies; There should be increase in oversight of defence procurement and; capacity building of oversight legislators should be enhanced; In order for NASS security sector related committee to perform their oversight functions effectively, there is need to increased access to classified information.

CHAPTER ONE

INTRODUCTION

1.1 BACKGROUND TO THE STUDY

A nation's security sector's fundamental qualities and operational approach are indispensable for fostering democratic values and principles within a society. In practice, a well-functioning security sector is crucial for the endurance and flourishing of democracy. Tasked with safeguarding the nation against both domestic and foreign dangers, its core aim is to uphold peace and stability. This enables public institutions to operate effectively and in alignment with the foundational tenets of democracy, such as the rule of law, the separation of governmental powers, and the protection of fundamental human rights. (Ball & Fayemi, 2008).

Observations indicate that Nigeria's security sector often functions without a robust framework for democratic accountability, fostering a climate of impunity, a lack of transparency, and inefficient management. This situation, as noted by Bendix and Stanley (2008), curtails the security sector's capacity to effectively and efficiently serve both the state and its citizens. Scholarly research corroborates the idea that sound or democratic governance of the security sector is vital for strengthening democracy, promoting long-term economic and social progress, and establishing a secure environment for the populace. For emerging democracies in the developing world, the security sector holds a pivotal role in their continued existence. Nevertheless, the preparedness and capability of Nigeria's security sector to fulfill these crucial functions, which would assure citizens of the advantages of good governance, remains a significant question warranting thorough consideration. The standard of security agencies within a democracy is judged by their proficiency in safeguarding life and property, as well as maintaining public order. Consequently, there is little doubt that a dysfunctional security sector poses a threat to both democracy and good governance. This study, therefore, delves into the actual role the Nigerian security sector has played in upholding positive democratic governance, specifically from the commencement of the 8th National Assembly through

the 9th National Assembly (2015-2023). The National Assembly over the years appropriated funds to security sector to enhance their efficiency and effectiveness in the discharge of their core responsibilities. Based on the Appropriation Act available on the website of the Budget office of the Federation from 2015-2023.

Budgetary Allocation for Security Sector in Nigeria (2015-2023)

It was observed that over the years the National Assembly appropriated funds to Security Sector to enhance their effectiveness. “Based on the 2015 appropriation Act available on the website of the Budget office of the Federation, a total of N964bn was allocated to the Defence Ministry, consisting of N843.5bn for recurrent expenditure and N74.27bn for capital expenditure.

In 2016, N443bn was budgeted for the Ministry, including N312.2bn for recurrent expenditure and N130.88bn for capital expenditure.

In 2017, N483bn was appropriated for the Ministry, including N330.4bn for recurrent expenditure and N138.6bn for capital expenditure.

In 2018, N576.3bn was allocated to the Ministry, comprising N418.6bn for recurrent expenditure and N157.7bn for capital expenditure.

The Defence Ministry was allocated N585.9bn in 2019, including N430.8bn for recurrent expenditure and N159.1bn for capital expenditure.

In 2020, N900.77bn was budgeted for the Ministry, comprising N784.59bn for recurrent expenditure and N116.2bn for capital expenditure.

In 2021, N966.4bn was allocated to the Ministry, including N838.5bn for recurrent expenditure and N127.8bn for capital expenditure.

Additionally, the signed 2021 supplementary Appropriation Act allocated to the Ministry a total of N714.5bn for the purchase of modern military equipment to enhance the firepower and operational needs of the Armed Forces.

This figure brings the total allocation for the year 2021 to the total sum of N1, 880.9bn.

In 2022, N1,193.18 was budgeted for the Ministry, comprising N996.18bn for the recurrent expenditure and N197.1bn for capital expenditure.

The Defence Ministry was allocated N1, 383.9bn in 2023, including N1, 098.9bn for recurrent expenditure and N285.1bn for capital expenditure.

In spite of the increased, it has been observed that the sector has not been able to sufficiently address the rising insecurity challenges in the country. We continuous to read and witness serious security challenges that have rendered most people homeless and inability to have access to their farms. Indeed, There is need for legislature to address issues bordering on security and its ability to continue to exist as a united entity which has in recent times become more expedient than it had ever being since independence.

Security sector has a special responsibility to support democracy and human rights and to protect citizens from harm. The sector is to put in place programs that will promote the cementing of social order, in order not to threaten the corporate existence of the Nigerian state.

National Assembly should be able to contribute significantly to reduce crime rate that has become prevailing in today's Nigeria through their oversight function. The National Assembly beyond its appropriation function of allocating expenditures for security agencies should include over sighting the utilization of allocation of security sector. The over sighting of security sector by the National Assembly will play a significant role to combat crime in Nigeria.

It is important to note that security sector had several challenges from the commencement of the 8th Assembly to date. Each of these challenges in one way or the other limits the efficiency and effectiveness of the sector in living up to its mandates.

In the light of the expressed security challenges, one may wonder whether the National Assembly actually conducted their oversight responsibility on security sector. Against this background, it has been observed that the oversighting of the security agencies has not been transparent and accountable due to inability of the sector to release vital information for the oversight.

Though a series of efforts have been made by the leadership since the return to democracy in 1999, to make the Nigeria's security sector accountable, effective and responsive to the needs of the people, the security forces, particularly the armed forces and the police have largely been an instrument for regime security rather than an instrument for the promotion of human security (Bendix & Stanly, 2008).

Consequently, this study seeks to investigate how the capacity of Nigeria's parliamentary body was utilized in the area of its oversight functions over the nation's security agencies. The study, thus interrogates how the efficiency, effectiveness, transparency and accountability of the nation's security sector was oversighted within the framework of democratic controls. In other words, the study argues that effective democratic control of Nigeria's security sector is realizable when the knowledge of the representatives of the people (parliamentarians), who are constitutionally saddled with the responsibility of making laws and providing oversight functions over the security sector is deepened and the civil society becomes active participants in the governance of the nation's security sector".

1.2 Statement of the Problem

In Nigeria, security challenges such as terrorism, banditry, kidnapping, and communal violence have continued to pose serious threats to national stability and development. Despite the existence of various security agencies tasked with maintaining law and order, the persistence of these security issues raises concerns about the effectiveness of legislative oversight in ensuring accountability, efficiency, and proper resource allocation within these agencies. According to Tahir and Abraham (2024), the National Assembly, through its oversight functions, is expected to monitor and evaluate the performance of security agencies, ensuring they operate within the confines of the law and fulfill their mandate effectively. However, questions remain as to whether legislative oversight has been robust enough to influence positive reforms, curb misconduct, and improve security outcomes.

The Eighth and Ninth National Assemblies played crucial roles in security sector oversight through budget approvals, investigative hearings, and policy reviews (Centre for Legislative Engagement, 2019). Yet, the impact of these efforts remains unclear, as insecurity has persisted, sometimes worsening despite increased government spending on security. There is also concern about political interference, lack of enforcement of legislative recommendations, and the extent to which security agencies comply with legislative directives. This study seeks to examine the effectiveness of legislative oversight on security agencies in Nigeria during the Eighth and Ninth National Assemblies, assessing whether these oversight mechanisms have led to tangible improvements in security governance or if challenges persist due to institutional weaknesses and other limiting factors.

1.3 Research Questions

The study is guided by the following research questions:

- i. How does National Assembly oversight the security agencies in Nigeria?
- ii. What are the factors that affect the legislative oversight of the security sector in Nigeria?
- iii. To what extent did the legislature carry out oversight of security agencies in the 8th National Assembly?

1.4 Objectives of the Study

The main objective of this study is to investigate the effect of Legislative oversight on Security Agencies in Nigeria: Evidence of 8th National Assembly. The specific objectives of the study are:

- i. To determine the ways 8th National Assembly carry out its oversight function on security agencies in Nigeria.
- ii. To examine the factors that influence legislative oversight of the security sector in Nigeria.
- iii. To ascertain the extent of legislative oversight of security agencies by the National Assembly from the commencement of the 8th Assembly in 2015 to 9th Assembly in 2023.

1.5 Significance of the Study

The study sought to investigate the Effect of Legislative oversight on security agencies in Nigeria: from the 8th to the 9th National Assemblies. Findings from this study will be beneficial to the government and the Legislative arm of government. It will also contribute to academic knowledge in the areas of laws and social sciences. The study's findings will help the government ensure that security agencies are accountable for their actions, which is essential for good governance and transparency. The government can make informed decisions to strengthen national security and address potential threats.

The study will provide valuable insight on how the legislative arm can effectively oversee security agencies, ensuring that they operate within the bounds of the law and adhere to democratic principles. The findings can inform the development of legislative frameworks that promote transparency, accountability, and good governance in security agencies.

1.6 Scope of the Study

The study will cover legislative oversight of 8th and 9th National Assembly on security matters and three Agencies which are directly involved in the management, control and protection of life and property. This includes Nigeria Security and Civil Defense Corp (NSCDC), the Nigeria Police Force and the Army.

1.7 Limitation to the Methodology

This research study is constraint by a number of limiting factors which research had encountered during the course of study. These include the following:

The unwillingness of respondents to openly and freely discuss the issues under study. This was most prevalent among serving security personnel, clerk of committees and committees' staff of National Assembly.

The problem of secrecy surrounding security expenditure and documents in Nigeria. This made it very difficult for the researcher to obtain certain documents from the security agencies, their oversight submission to the National Assembly.

There exist insufficient related textbook in the library for use in the accomplishment of this research and the cost of such texts in the book shop is so high. The financial requirement for a research work of this kind is high, as research is required to embark on movement to places where relevant data are accessible.

1.8 Definition of Terms

In the content of my work the following terms were used during the course of the study:

Legislative oversight basically refers to the responsibility (ies) of the legislative arm of government to supervise, using its law making prerogative and its allied functions over, governmental institutions and bodies, to promote compliance with constitutional provisions and governance. The legislature exercise parliamentary oversight by making laws that define and regulate the activities-mandate, operations and finances-of state institutions and agencies for the achievement of the collective goal(s) of the state.

To that extent, parliamentary oversight of the security sector refers to “the role of the parliament in passing laws that guide, regulate and define the various agencies of the security sector including their powers and functions. The parliament can also summon heads of security agencies to account for their activities without intruding into operational matters (WASCI et al., 2009:169).

Oversight of the security sector: According to the Geneva Centre for Security Sector Governance [DCAF] (2021), oversight of the security sector refers to the role the democratically-elected branch of the legislature plays in oversight and monitoring of security sector policies and practices.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This Chapter focuses on the review of related literatures that deals with the variables on this topic as it relates to the performance of the Security sector. This review of the literature was presented thematically, thereafter, the Separation of Power theory was used and the framework for conceptualizing the research. Emphasis on the Effect of Legislative Oversight on Security Sector: Evidence of 8th and 9th National Assembly.

2.1 Conceptual Review

2.1.1 Security Sector

Born (2013) emphasizes that security sector institutions—comprising the armed forces, police, and intelligence services—are fundamental to societal well-being and cohesion. Their primary mission is to protect citizens from physical threats, whether external or internal, thereby enabling societies to thrive and pursue democratically chosen paths. As agents of the democratic state, these institutions are required to adhere to transparency and accountability measures that ensure they respect their mandates. A functional security sector operates within the bounds of democratic accountability, while one that neglects such oversight risks undermining societal security, transforming into a source of insecurity rather than protection.

Accountability within the security sector is essential for the effective functioning of a democratic state. Emerging threats—such as international terrorism, cyber-attacks, transnational crime, and environmental disasters—have further underscored the need for robust accountability mechanisms. These challenges often necessitate international cooperation, which can complicate traditional oversight due to secrecy and the transnational nature of operations, as seen in practices like international renditions and drone-based targeted killings.

2.1.2 Security Sector Accountability as a Democratic Advance

The European Parliament (2013) asserts that broader accountability in the security sector should not be viewed as an undue burden on governments or executive agencies. Instead, it enhances both the legitimacy and quality of executive actions.

Firstly, subjecting all areas of the security sector to interconnected oversight mechanisms fosters public understanding and support for security policies. Secondly, adopting a comprehensive approach to security sector accountability integrates diverse aspects of security policies, encouraging coordination and synergy. This holistic approach enhances policy coherence and responsiveness, addressing the complexities of modern security challenges by bridging internal, external, national, and international dimensions.

2.1.3 Democratic Security Sector Governance: Actors, Mechanisms and Tools

According to Born (2013), although the security sector has unique characteristics given its central role in guaranteeing the state's legitimate monopoly on the use of force, it nonetheless shares many common features with other areas of public service delivery and should therefore as former UN Secretary-General Kofi Annan put it – 'be subject to the same standards of efficiency, equity and accountability as any other [public] service'. Ensuring that the security sector is subject to the same standards of good governance as the wider public service, is an important element that links the state's ability to provide security effectively and efficiently to the need to do so in an accountable manner.

Although no single model of security sector governance (SSG) exists, according to the UN Secretary-General's report on SSG, effective and accountable security sectors have several common attributes. These include:

- A legal and/or constitutional framework providing for the legitimate and accountable use of force by universally accepted human rights norms and standards, including sanctioning mechanisms for the use of force and setting out the roles and responsibilities of different actors;
- An institutionalised system of governance and management: mechanisms for the direction and oversight of security provided by authorities and institutions, including systems for financial management and review as well as protection of human rights;
- Capacities: structures, personnel, equipment and resources to provide effective security;
- Mechanisms for interaction among security actors: establishing transparent modalities for coordination and cooperation among different actors, based on their respective constitutional/legal roles and responsibilities;
- Culture of service: promoting unity, integrity, discipline, impartiality and respect for human rights among security actors and shaping how they carry out their duties.

As reported by Hanggi (2012) security sector governance generally refers to the principles, policies and practices which, together, determine how society deals with its security-providing institutions - essentially the armed forces, the police and the intelligence services. Democratic SSG - the subject of this brochure - refers to a specific set of mechanisms and tools which must ensure the accountability of the national security actors. The two main mechanisms are complementary: control and oversight. **Control** refers to the provision of political guidance and operational direction to security sector institutions.

Oversight means (1) verifying compliance by security sector actors with general policy and established laws and regulations governing their operation;

(2) Scrutinising effectiveness and efficiency of security sector institutions. These two competencies - control and oversight - are exercised at two principal levels. First, the security sector will be subjected to its own, in-house control and oversight, as exercised by the executive branch (government, ministries, armed forces commands, police and intelligence chiefs). Oversight within the security sector can take various forms:

- Introduction of internal codes of conduct that clarify rules in the interest of fostering a democratic internal culture and respect for fundamental values, rights and obligations;
- Adoption by management of models of good governance and professionalism;
- Accountability of staff for breaches of discipline and, conversely, procedures ensuring that staff complaints will be dealt with in a timely, impartial and professional way.

Complementing this in-house control and oversight, come the external forms of control and oversight - as exercised by, primarily, parliament but also other actors: the judiciary, independent bodies, civil society and international institutions.

Key Principles of Democratic Accountability

For it to achieve its purpose, democratic accountability must take account of several fundamental principles: transparency, legality, responsibility, accountability, participation and responsiveness to the people. The legislator will seek to secure adherence to these principles within the overall context of the rule of law. It is up to the executive, the parliamentarians and, ultimately, the people themselves to promote a political culture which will sustain the observance of these principles (UN Human Rights, 2024).

Actors: A Divided Responsibility

Democratic accountability as reported by Okafor *et al.* (2020) can be achieved through a plurality of methods. Mechanisms of democratic control vary according to several factors such as the country's historical context, its cultural traditions, its form of government (i.e. monarchy, parliamentary

republic or presidential system), and its constitutional-legislative framework and, last but not least, its socio-economic condition.

Across this diversity of political systems, it is possible to identify several actors which perform similar types of oversight activities. These actors traditionally include various executive, legislative, judicial and independent state bodies, alongside non-state protagonists from civil society (see Box 1). It is often unclear which of these various bodies, if any, will oversee the activities of the numerous ‘autonomous’ agencies to which governments have more recently devolved the exercise of various public functions.

European Union (2013) reported that of all state branches, the executive exercises the most direct form of control on the security sector by drafting the budget and setting out the general policy, as well as by managing the security sector daily. The extent of executive power varies, depending on the form of government - monarchy, parliamentary or presidential democracy - and on the respective powers of the institutions making up the executive branch - head of state, government, chiefs of the armed forces and the intelligence services.

A study by Paris (2021) reported that in parliamentary regimes the government will be the main actor, presidential regimes often designate the president as commander-in-chief, president of national councils and committees, and/or nominating authority of military vacancies. Some constitutions, as is the case in Romania, provide for the executive branch to be headed by collegial bodies. Such a Council for National Defence coordinates the overall security policies and in some cases also reports to parliament. An important role for defence and other security sector ministers is to interact with parliament by, in the most visual sense, appearing before parliament to set out government policies and positions and/or by responding to parliamentary questions.

According to PLAC (2016) the legislative level, parliament exercises its powers of oversight at various stages, alone or in conjunction with the executive.

Table 2.1 Actors and Mechanism

	Actors	Mechanism
Executive	Head of state, government, chief of general staff, advisory & coordination bodies	Ultimate command authority, setting policies & priorities, promulgating subsidiary legislation & regulation, investigation powers, the appointment of main commanders, proposing laws & arms procurements, and international negotiation.
Legislature	Parliament, parliamentary oversight bodies.	Enacting laws, budget approval, investigations, hearings, and participation in major decisions.
Judiciary	Courts and tribunals (civil, criminal, military).	Adjudicating cases against security institutions/ staff, reviewing the constitutionality of laws, safeguarding the rule of law and human rights, monitoring special powers, and reviewing security policies in the context of

		prosecutions.
Independence bodies	Ombudsman, audit offices, human rights bodies, inspector general, and public complaints bodies.	Receiving complaints and investigating abuses and failures raising awareness of human rights verifying compliance with the law and correct use of public funds.
Civil society	Media Think-tanks, NGOs Individuals	Informing the public, investigative reporting, in-depth analysis and expertise, dissemination of alternative views recommendations, lobbying, and monitoring. Addressing issues through the judiciary and the media.
Security sector institutions	Police, Military, intelligence agencies, private security companies, etc.	Internal mechanisms of supervision, review, monitoring, complaints, discipline, codes of conduct, freedom of information, and human resources.
International level	Treaty bodies, intergovernmental institutions (UNSC, Council of Europe,	Monitor human rights violations, create norms and standards in the security

	NATO, OSCE, EU), inter-parliamentary Assemblies, courts (ECHR, ICJ, ICC), NGOs.	sector, adjudicate, and foster cooperation in the security sector.
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Source: European Parliament (2013)

2.2 Legislative Oversight of the Security Sector

According to the Policy and Legal Advocacy Centre (2017), Legislative oversight can be broadly defined as the process by which a legislative body monitors, scrutinizes, reviews and evaluates the performance of the executive arm of government or its agencies continuing to ensure effectiveness, efficiency and good performance. Legislative oversight of the security sector can be said to be undertaken through making laws that define and regulate the activities, operations and finances of state institutions and agencies for the achievement of national goals and ensuring these laws are complied with and processes and procedures are adhered to in a transparent and accountable manner *See Section 14(3) of the 1999 Constitution of the Federal Republic of Nigeria (as amended).*

Aluko (2015) defined parliamentary oversight of the security sector as the role of the parliament in passing laws that guide, regulate and define the various agencies of the security sector including their powers and functions.

Bentinck and Born (2013) noted that ensuring public security and stability whilst upholding democratic standards constitutes one of the major challenges of democratic society. Achieving a balance between these two objectives essentially requires democratic accountability of the security sector. The exercise of their special powers does not excuse security sector institutions from remaining within the purview of the laws adopted and the policies pursued by a democratic government. Although such control and review are exercised by a variety of actors in society (including non-state actors), the role of the legislature in this regard is particularly important. This

importance arises from the fact the people should be the ultimate deciders of their security policy and the legislature is the institution that represents them most directly.

In Nigeria, as in other parliamentary democracies, the legislature, especially at the national level has developed certain structures and mechanisms through which oversight of the security sector is conducted. Some of these structures, approved by the Constitution and Rules of both Chambers of the National Assembly include the establishment of standing and ad-hoc legislative committees. Currently, there are six standing legislative committees, each on both Chambers of the National Assembly in Nigeria, dealing directly with oversight of the security sector. These include Committees on Air Force, Army, Defence, Interior, National Security and Intelligence, and Navy and Police Affairs. Going by the expanded definition of the security sector in Nigeria, Committees on Prisons and Drugs & Narcotics can be included in this list. These do not include other Committees that do not deal directly with the security sector, although they have oversight functions over them; such as the Committees on Appropriations, Federal Character and Inter-Governmental Affairs, Finance, Justice and Human Rights, Establishment and Public Service, Public Accounts and Public Procurements. Apart from the institutionalized structures, i.e. the Committee System, the legislature in Nigeria also employs discussions in plenary and closed sessions, public and investigative hearings, oversight visits or on-the-spot assessments and subpoenas as oversight tools or mechanisms.

Section 62 of the 1999 Constitution specifically empowers the National Assembly to create committees as it may deem appropriate. The National Assembly largely provides oversight of the security sector through budgetary appropriation, law-making and approval of critical appointments in the sector.

However, the quality of legislative oversight of the security sector has been at the centre of thorny debate. From the various shades of opinions, there is somewhat unanimity among respondents on an

overt failure of legislative oversight of the security sector in Nigeria, which has aided the creation of weak institutions in government. (Pelizzo and Stapenhurst, 2012).

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2.2.2 The Importance of the Legislature on Security Issues

As reported by the Africa Center for Strategic Studies (2024), the legislature as we have earlier shown is responsible for public order and public security. This is therefore why the underlying philosophical basis for the control of public funds by the legislature is the reasoning for the people's representative in parliament to determine how best public funds are to be utilized and how best to allocate resources among the various sectors of the economy. It has accordingly been argued that given the exigencies of modern political administration legislatures would need to go the extra mile in realizing efficiency and prudential control over public funds in the interest of the taxpayers while at the same time assisting the government in the concerted effort to achieve specific public goals.

The 1999 Constitution of the Federal Republic of Nigeria part 1 second schedule section 11 subsection (1) states inter alia.

The National Assembly may make laws for the Federation or any part thereof concerning the maintenance and security of public safety and public order and providing maintenance and securing of such supplies and services as may be designated by the National Assembly as essential supplies and services while subsection three (3) states that during any period when the Federation is at war, the National Assembly may make laws for peace, order and good governance of the federation or any

part thereof concerning matters not included in the Exclusive Legislative list as may appear to it to be necessary or expedient for the defence of the federation.

In the fundamental objectives and directive principles of state policy, under the government and the people chapter 11 section 14 sub-section (b) states that the security and welfare of the people shall be the primary purpose of government; and the importance of the legislature on security issues can vividly be seen from the very fact that the legislature is expected to make laws for peace, order and good governance of the federation.

2.2.3 Relevance of Parliamentary Oversight of Security Sector Agencies

In seeking to strengthen its oversight of the security sector, it built upon the internationally accepted norm that security sector agencies (i.e., the police, intelligence services, border agencies and the armed forces) should be subject to democratic oversight (Abdulrasaq, 2020). The rationale for democratic oversight can be distilled into two key points.

Firstly, parliaments legislate on behalf of a population to give security sector agencies a mandate and powers to provide a public service. Parliaments should therefore hold these institutions to account for their fulfillment of their mandates and use of their powers. This should include ensuring security sector agencies' policies and practices are lawful and effective and respect the fundamental values of the societies they serve, including democracy and human rights.

Secondly, parliaments are crucial in approving government funding for security agencies. This responsibility naturally entails holding these agencies accountable for how they utilize these public funds. While parliaments often take the lead in this oversight, they also frequently create specialized, independent bodies to monitor specific security agencies.

2.2.4 Practitioners and Theoreticians Views on Security Sector Oversight Structures

The primary actors responsible for overseeing the security sector are the legislature and the media, according to a respondent from the Army. Oversight operates at multiple levels, including the Ministry of Defence (MOD), the legislature, and the media. However, it is often influenced by politics, as appointments to key positions are made by the Senate President and the Speaker of the House of Representatives (Respondent, Air Force).

A respondent from academia emphasized that oversight should begin with the National Defence and Security Council, which is constitutionally mandated to supervise defence-related activities, from recruitment to expenditure. Oversight in the context of the military extends beyond traditional democratic institutions to include the legislature, the National Human Rights Commission, the media, and civil society. It must encompass not only the operations of security agencies but also their adherence to citizens' rights, identifying and penalizing any violations (Respondent, Academia).

Additionally, House and Senate committees have well-defined mandates established by law, granting them the authority to make laws and exercise oversight. Any committee formally created by the National Assembly is a legitimate entity with oversight powers (Respondent, Academia).

2.2.5 The Nexus between the Legislature and the Security Sector

There is an acceptable standard practice in modern democracies that the legislature monitors how the executive arm spends public funds. It is a component of the concept of checks and balances this is what is largely referred to as oversight functions.

The security institution being under the executive arms makes it necessary that the legislature interacts with it or its agency from time to time.

According to Juweh (2021), an important nexus between the legislature and the security sector is the fact that during budget defence the minister along with the service chiefs will usually appear before

the appropriation committee to defend their budgets. At this stage the legislature has a major role to play by appropriating funds to the security sector they will be promoting peace and security of lives and property of the citizens. This is strategically importance because whatever is appropriated, they have a second opportunity to know whether what has been appropriated has been used for the purpose it was meant for or not.

Another very crucial link with the security sector is that they would hold public hearing or any security situation in the land. They could summon the inspector general of police or director General State Security Service, etc because part of their mandate it to promote the security and welfare of the people which is the primary purpose of government. Therefore they have the power to summon any security chief to verify certain claims or action.

2.2.6 Emerging Democratic Parliaments and the Security Sector

Yusuf (2020) highlighted that the challenges of establishing effective parliamentary oversight of the security sector are especially evident in emerging democracies. These are fragile democracies that struggle to meet the fundamental requirement of civilian and democratic control over their armed forces and security services. Even after the formal transition to democracy, these security forces often continue to see themselves as having a special role within the state and society. This democratic fragility is further complicated by the rise of additional security actors driven by hidden interests, which evade the control of newly established democratic institutions. This specific and often overlooked issue will be explored in Part III. In summary, to strengthen their oversight of the security sector, parliaments can utilize a variety of cooperative structures, tools, and activities of other actors, which collectively help create momentum towards improved democratic governance of the security sector. This should serve as sufficient motivation for parliaments globally to fulfil this crucial democratic responsibility.

2.2.7 Parliamentary Oversight of the Security Sector - Existing Best Practices

Born (2013) argued that over time, nation-states have taken on the primary responsibility for providing essential services to their citizens, with security being the most vital of these services. Without a secure environment, individuals and communities cannot function effectively. As democratic governance gained ground, the principle that the state's provision of security should align with the will of the people became widely accepted in Europe and the Western world. To ensure effective and responsible security institutions, they must be accountable to the legitimate authorities of the state and subject to oversight by democratically elected representatives in parliament.

Establishing effective and accountable security institutions within a nation-state does not have quick or simple solutions. Each country has its own unique historical, socio-economic, and cultural factors, which influence how its national security institutions can be governed democratically. However, the experience gained by European and Western nations in progressively democratizing their security institutions has resulted in a body of best practices. These practices, when followed, have been shown to improve the democratic oversight of security institutions.

The following section focuses on best practices in parliamentary oversight of security institutions, with the legislature being the most crucial element in the democratic governance of the security sector. Other key components of this broad democratic governance include the executive, judiciary, independent bodies, and civil society, all of which play significant and often complementary oversight roles, contributing to additional sets of good practices. Together, these practices form the dynamic "fabric of democratic security sector governance" and offer vital guidance for developing security sector reform programs.

Best practices among selected states

European Parliament (2013) reported that the best practices in exercising parliamentary oversight of the security sector are not born overnight. Rather, they constitute the accumulated wisdom from more than 150 years of experience in trying to establish, and refine, the democratic governance of the sword and shield of the state. Starting with the liberal revolutions which introduced parliamentary democracy in most European states from 1848 onwards, the elected representatives of the people and governments have interacted to evolve generally accepted principles and ground rules aimed at safeguarding the responsiveness of the security sector to the views of the people. This interaction has by no means been a straightforward process: more often than not, the executive and parliament have had to go through successive contentious rounds before settling on a cooperative relationship based on a clear division of responsibilities and agreed patterns of accountability. This evolution has culminated into today's broad consensus that real security cannot be achieved without the acceptance of democratic values and institutions and the observance of fundamental human rights - the notion of democratic security. Even so, today's fast-changing security environment leaves no room for complacency: as security services are constantly challenged to respond to new demands, so are the rules and practices shaping parliament's prime role in exercising democratic oversight of the overall security sector. For best practices to remain true to their name, they must remain relevant and, therefore, must be adaptable to changing circumstances.

Best practices, correctly speaking, derive from a set of four common principles governing the democratic governance of the security sector in general and the role of parliament in particular:

- Checks and balances between the institutions of government which ensure that parliament will not be overruled by the executive or the judiciary;
- Transparency, without which informed democratic debates are not possible;

- Responsiveness, whereby the security sector heeds the wishes of the people as formulated by its elected representatives;
- Accountability, which ensures that parliament, and other oversight actors for that matter, are able effectively to fulfil their role through (1) the timely provision of sufficient information; (2) the allocation of the necessary competencies to the oversight actors; (3) the availability of credible sanctions to the oversight actors.

According to the principles outlined by Omotoso and Olayide (2019), these practices offer a framework for assessing the ability of oversight actors to hold security services accountable, as well as guiding the aspirations of those actors in terms of democratic governance. Best practices encompass the full spectrum of oversight and control within the security sector, ensuring that all relevant actors are equipped to effectively monitor and regulate security institutions democratically.

- Internal control within the various security sector actors;
- Executive control;
- Parliamentary oversight;
- Judicial review;
- Independent oversight;
- Oversight by civil society.

Today, an additional, de facto form of oversight is exercised by the media. Together with other mechanisms, these seven "interdependent pillars of oversight and control" form the foundation of democratic security sector governance. The section that follows will concentrate on the most critical of these pillars: parliamentary oversight. It will explore the key good practices that shape the legislature's control over the security sector, including the armed forces, police, and intelligence services.

Different Venues for Parliamentary Oversight

According to Nwaegbu (2022), in addition to representing the people, the role of parliament entails three other fundamental functions: enacting legislation, controlling the budget and overseeing the executive. Whereas the first two tasks - adopting and amending laws, and approving the budget - are circumscribed, parliamentary oversight is exercised more diffusely, through different channels and with different tools. Thus, the first two functions mentioned, i.e. legislation and budget control, constitute by themselves important instruments for parliament to exercise its crucial oversight function. Next to this, several parliamentary prerogatives are specifically designed to facilitate oversight. These may take the form of special oversight bodies; mechanisms for participation in decision-making; provisions enabling privileged access to information; and the prescribed reporting to parliament of independent oversight organisations (including the ombudsman, human rights bodies, supreme audit office and anti-corruption bodies).

Tools for Parliamentary Oversight

According to Yamamoto (2007), the following tools are needed for parliamentary oversight:

Legislative Powers

- ✓ Setting the legal framework for oversight;
- ✓ Influencing government policy on a broad level.

Budget control

- ✓ Oversight/verification of the respect of the allocated budget;
- ✓ Sanction in case of excesses/illegitimate conduct by the executive.

Direct Oversight

- ✓ Oversight organs
- Parliamentary committee(s);

- Independent oversight bodies to assist parliament.
- ✓ Involvement in important decisions
- Prior approval in case of: foreign missions, war, state of emergency, and international treaties;
- A posteriori control of decisions (with the possibility to revoke or substitute);
- Appointment of senior officials;
- Defence procurement.
- ✓ Access to (classified) information
- Obtaining document'/Proactive disclosure
- Summons/Hearings
- Information/Consultation
- Secrecy safeguards
- ✓ Investigative powers.

The above venues for the exercise of parliamentary oversight are nowadays complemented by various international parliamentary institutions (IPIs) such as the parliamentary assemblies of the Council of Europe, NATO, the OSCE or the European Parliament. These and other IPIs in and beyond Europe may or may not have all four core parliamentary powers - legislative, budgetary, oversight, and consultative - at their disposal. Thus, of all IPIs, the European Parliament has the widest range of powers, while most others have fewer - generally the consultative power, sometimes complemented by the oversight power - which they exercise with less diligence than the European Parliament. Despite their varying impact on decision-making, IPIs are nevertheless increasingly shaping the international dimension of parliamentary oversight.

As stated by Ossai (2022), legislative powers are the legal framework for democratic governance of the security sector is set by the constitution; laws regulating the various security providers (armed forces, police, intelligence services); laws on public financial management; and laws on public oversight institutions. By enacting and/or amending security sector legislation, parliament in principle shapes the mission, structure, functions and competences of security actors, thereby setting the parameters for the country's security policy and its implementation. In practice, parliament's freedom to determine this legal framework will vary. Thus, constitutional provisions regarding democratic governance of the security sector will be primarily for parliament to determine. More often than not, these provisions offer only general guidance. The French constitution, for instance, includes only one constraint on the use of French armed forces, namely the prohibition to employ the armed forces for the purpose of "conquest" or for actions "against the freedom of any people". Only in a few European countries (Germany, Spain) do constitutions explicitly regulate the permissibility of certain military missions in greater detail. Below the level of the constitution, parliamentary input tends to be more limited: security sector legislation will be drafted by the executive, which will also tend to dominate the parliamentary approval process thereafter.

Next to dealing with the three main pillars of the security sector - the military, the police, and the intelligence services - laws regarding the security sector will address issues as diverse as freedom of information; border security management; private security; budgeting and accounting; anticorruption; criminal procedures; fire arms; states of emergency; privacy protection; and an ombudsman.

The Power of the Purse

Parliamentary power over the general budget also encompasses security sector-related budgetary items. Through its decisions on the allocation of (often important) financial resources to infrastructure, projects and equipment, parliament partakes in shaping the security sector. Parliament may use this crucial prerogative to impose conditions upon the executive or to sanction the latter in

case of abuse. Usually, the government proposes a budget which it submits to parliament for approval. The effectiveness of parliament's oversight role in this process depends on its degree of access to relevant information (detailed knowledge of budgetary items), as well as on its formal competences to modify the budget (European Parliament, 2013).

In this respect, three broad categories of legislatures can be identified:

- Budget-making legislatures, such as the US Congress, are able to amend, reject and even formulate alternative budget proposals. The legislature is highly involved in security budgeting, policy and oversight, and is accordingly staffed with the necessary expertise.
- Budget-influencing legislatures, as most European parliaments will be, can amend and reject bills but may not present their own proposals. This does not prevent them from examining proposed budgets in detail and producing numerous amendments, as can be observed in Germany and in the Netherlands.
- Legislatures based upon the British Westminster system (Australia, Canada, India, South Africa, New Zealand, Zambia and the UK) are authorised only to reduce existing budgetary items, but not to increase nor add any items.

According to Toornstra and Sickinghe (2013), the latter legislatures tend to focus on ex post oversight, or budget auditing, through hearings, inquiries and public reports in order to raise awareness among the public. In performing their financial review functions, these legislatures will often avail themselves of inquiries already conducted by independent national audit offices. They may also take into account insights gained from parliamentarians' participation in international parliamentary institutions - insights which tend to benefit the capacity of national parliamentarians to legislate and *exercise effective oversight over their government's policies*.

2.2.8 Overview of the Structure of the Nigerian Security Sector

According to policy and legal Advocacy Centre (2019), in 1999, Nigeria returned to democratic rule with the corresponding expectation of the subordination of the military to civilian rule and oversight on matters of security. Indeed, the assessment of a post military era quality of civil – military relations also comes under scrutiny as this discussion evolves. In line with this and according to Ball and Fayemi (2008) in Momodu (2019), the quality and effectiveness of protections for the territorial integrity of a nation, state and its citizens are directly proportionate to the level of subordination of the security organizations to democratically elected leadership structures and civil authorities. Within a general conceptual framework, the African Union Policy Framework on Security Sector Reform (SSR) has noted that though the components of the security sector vary according to each national context, in general terms and in an African context, however, it comprises individuals, groups and institutions that are responsible for the provision, management and oversight of security for people and the State.

These include but are not limited to the following:

a. Primary Security Institutions: such as the armed forces, the police, gendarmerie and other law enforcement agencies, presidential guards, antiterrorist units, border management, customs and immigration authorities, Office/Directorate of the State Department, as well as any other services set up by a Member State;

b. Specialized Intelligence and Security Institutions: such as those that are in charge of finding and using intelligence to preserve state sovereignty, state security and to defend vital national interests. These may be involved in security activities such as counter espionage, counter terrorism and the fight against all forms of organized crime;

c. Public Oversight and Management Bodies: such as the executive, the justice ministries, the legislature, national security advisory bodies, parliamentary sub-committees, anti-corruption bodies, customary authorities, the Pan African Parliament and regional parliamentary bodies;

d. Justice and Rule of Law Institutions: such as the judiciary, prisons and other correctional facilities, Office of the Attorney General, Office of the Public Prosecutor, ombudspersons, traditional and transitional justice systems, human rights commissions, tribunals and courts;

e. Civil Emergency Units: such as search and rescue services, firefighting, riot control, natural disaster management and natural resource protection units; and,

f. Non-state Security Bodies: such as private security companies, informal, traditional and customary authorities and others, as may be decided by each Member State (AU, 2013:4-5). Similarly, the Organization for Economic Cooperation and Development-Development Assistance Committee (OECD-DAC), among other institutional frameworks, has also defined the security sector to encompass the following:

i. Core Security Actors including: armed forces, police, gendarmeries, paramilitary forces, intelligence and security services, border guards and customs authorities;

ii. Security management and Oversight bodies including: the legislature and its relevant legislative committees; government/the executive, including ministries of defence, internal affairs and foreign affairs; national security advisory bodies; customary and traditional authorities; and financial management bodies;

iii. Justice and rule of law institutions including: justice ministries, prisons, criminal investigation and prosecution services, the judiciary, other customary and traditional justice systems, human rights commissions and ombudspersons; and,

iv. Non-statutory security forces including: liberation armies, guerrilla armies, private bodyguard units, private security companies, private military companies and political party militias (Aluko, 2015; OECD, 2007; Hanggi, 2003).

Arising from the above, Ball and Fayemi (2008) in Momodu (2019) viewed the security sector as encompassing all those state institutions that have a formal mandate to ensure the safety of the State and its citizens against acts of violence and coercion and the non-statutory security actors, which have emerged as important actors in the security network. Within the Nigerian context, Aluko (2015) noted that the component of the Nigerian security sector is comprised of the following:

The Armed Forces (Army, Air Force and Navy of approximately 77,000 personnel); the Nigerian Police Service (of about 360,000 men and women– increased in 1999 from the initial size of 120,000); paramilitary bodies including Customs and Excise, the Immigration Service, the Intelligence Services-including Military Intelligence and the State Security Service; judicial and public security bodies – Judiciary, Justice Ministry, correctional service (Prisons); private security outfits; militia groups – including, for examples, the Odua People Congress, Bakassi Boys, Hizba

Corps and community vigilante groups. This broader definition clarifies popular misconceptions on the components of the security sector, as the popular understanding of the term is limited to agencies with legal monopoly of use of force like the military and the police. However, these two groups (armed forces and police) represent fundamental components of the security sector as it relates to internal security, especially within the context of the role of non-state actors in the ongoing State response to the Boko Haram terrorist insurgency in Nigeria

Structurally however, the formal or traditional security sector in Nigeria is divided into three main segments. The first is the “Armed Forces of the Federation” made up of the military organisations, established by Section 217(1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended). The Armed Forces are composed of the Nigerian Army (NA), Nigerian Navy (NN) and

the Nigerian Air Force (NAF). For administrative purposes, the Armed Forces of the Federation are under the Ministry of Defence. Operationally, the Armed Forces of the Federation have the responsibilities of:

- i. Defending Nigeria from external aggression;
- ii. Maintaining its territorial integrity and securing its borders from violation on land, sea, or air;
- iii. Suppressing insurrection and acting in aid of civil authorities to restore order when called upon to do so by the President;
- iv. Performance of such other functions as may be prescribed by an Act of the National Assembly.

The second segment of the security sector is made up of Para-military security agencies, namely, the Nigeria Police Force (NPF), the Nigerian Security and Civil Defence Corps (NSCDC), the Nigerian Immigration Services (NIS), the Nigerian Customs Service (NCS), the Nigerian Prisons.

See Section 217(2) of the 1999 Constitution of the Federal Republic of Nigeria (as amended).

Nigeria Police service (NPS), the Federal Fire Service (FFS), and the National Drug Law Enforcement Agency (NDLEA), among others. Again, for administrative purposes, this segment is under the Ministry of Interior.

The third segment is the intelligence community; made up of the Department of State Services (DSS), the Defence Intelligence Agency (DIA) and the National Intelligence Agency (NIA). The Nigerian intelligence community is established by the National Security Agencies Act, CAP. 273, LFN, 2004 (as amended). According to Dokubo (2011:68), these are specialized agencies established for the purposes of collection of intelligence from within and outside the Nigerian State. They are also responsible for the provision of security services. While the DSS collects local intelligence and provides internal security, the NIA collects external intelligence. On the other hand, the DIA collects defence intelligence and security both within and outside Nigeria. Thus, the Armed Forces, the Para-

military agencies and the intelligence community, otherwise called the traditional security institutions, are collectively referred to as security and law enforcement agencies.

In recent times however, the security sector in Nigeria has expanded beyond the traditional security agencies to include the judiciary, which has the responsibility of the administration of justice as well as the human rights and civil liberties institutions. As a respondent noted, the expansion of the security sector beyond the traditional security institutions has been occasioned by the fact other agencies play significant roles in guaranteeing not just security provisioning by the traditional security institutions but also in ensuring that security institutions and agencies render services that are human-centered rather than state centered.

Secondly, the increasing participation of non-state security actors such as Civilian Joint Task Force (CJTF), vigilante and neighbourhood watch groups and Private Security Companies (PSCs) in the provision of security, especially since the late 20th century has equally expanded the scope of the security sector in Nigeria. As some scholars have noted, although the existence of community vigilantes and neighbourhood watch groups, especially in the southern part of Nigeria, dates back to pre-colonial times, their proliferation and increasing participation in the security space have become part of the defining characteristics of the informal security framework in Nigerian since the late 20th century (Okeke, 2013).

This development has been informed by an increasing wave of violence and criminality, “the involvement of local groups in political conflicts and a more general framework of a possible decline of law enforcement state agencies” especially in the rural areas (Fourchard, 2008 in Akinlabi, 2020). Thus, core security related functions that were once the exclusive preserve of formal security structures – such as arrest and prosecution of suspected criminals, public safety, crime and violence prevention - now constitute key functions performed by informal security institutions (Kwaja, 2014). Given this development, the security sector has increasingly, in contemporary times, become a very

broad and complex environment comprising a wide range of actors and institutions both within and outside the realm of the State. However, some issues can be identified, which inform the functioning of the Nigerian security sector. The first is the co-existence of non-statutory security providers alongside formal security establishments since they respond to security needs of communities that are far from the purview of the State. As such, informal arrangements for security provisioning have been accorded different degrees of legitimacy by citizens and groups that exercise their demand for security through these informal sources. Due to this, the State has lost a significant portion of its monopoly of the use of force as well as a degree of legitimacy as a security provider

Components of the Nigerian Security Sector

Aluko (2015) noted that the components of Nigerian Security Sector include:

Armed Forces of the Federation	Para-Military	Intelligence Community	Judicial and public security bodies	Non-Statutory Security Providers:
Nigerian Army (NA)	Nigeria Police Force (NPF)	Department of Security Services (DSS)	Judiciary,	Private Security Companies (PSCs),
Private Security Companies (PSCs),	Nigerian Security and Civil Defence Corps (NSCDC)	Defence Intelligence Agency (DIA)	Justice Ministry,	Civilian Joint Task Force; militia groups – including, for examples, the Odua People

				Congress, Bakassi Boys, Hizba Corps and community vigilante groups, Hunters Association
Nigerian Air Force (NAF)	Nigerian Immigration Services (NIS)	National Intelligence Agency (NIA)	Correctional service (Prisons)	
	Nigerian Customs Service (NCS)		human rights and civil liberties institutions	
	Nigerian Prisons Service (NPS)			
	Federal Fire Service (FFS)			
	National Drug Law			

	Enforcement Agency			
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(PLAC, 2017)

2.2.9 Constitutional Framework for Security Sector Oversight

According to the Policy and Legal Advocacy Centre (2017), the Legislature has a constitutional mandate to oversee the security sector. Section 4 of the 1999 Constitution grants legislative powers to the National Assembly (NASS), with its primary functions broadly categorized into law-making, representation, and oversight. NASS's oversight powers are derived from Section 88 of the Constitution, which authorizes it to investigate the conduct of any person, authority, ministry, or government department responsible for executing or administering laws passed by the National Assembly, as well as managing funds appropriated or to be appropriated by the Assembly.

Following the above, the responsibility for making laws on defence and security, the armed forces, police, prisons, arms, ammunition and explosives resides with the National Assembly.

See Section 14(3) of the 1999 Constitution of the Federal Republic of Nigeria (as amended)

(Sections 4 and the exclusive legislative list in part 1 of the 2nd schedule).

This means that State legislatures lack the power to legislate on these matters. Some other constitutional powers of NASS as they relate to the security sector include:

- Power to approve the declaration of war and deployment of troops - Section 5(4) (a) and (b)
- Power to make laws regulating (a) the powers of the President as Commander-in-Chief of the Armed Forces; and (b) the appointment, promotion and discipline of members of the Armed Forces - (Section 218(4))
- Approval of key government appointments - (Section 147(2))

- Powers over finance and appropriation, which include approval of security sector budgets - (Section 81) NASS however has no power to decide on the procurements to be done by the military. It is important to note that in March 2017, the House of Representatives amended the Public Procurement Act to make security agencies more accountable in procurement matters by extending the application of the Act to procurements involving national security or defence. To take effect, this amendment would need to be adopted by the Senate and signed by the President). It is also important to note that the National Assembly through its Public Accounts Committees (PACs) oversees Public Funds and implementation of the National Budget by considering reports from the office of the Auditor-General of the Federation. PACs have the power to scrutinize government accounts regularly and provide an opportunity for improved monitoring of government spending. The relationship and cross-cutting role between the PACs and the Office of the Auditor-General presents huge opportunities for oversight. Unfortunately, this is mostly underutilized.
- Investigative powers i.e. powers to summon and question members of the executive arm of government and to procure witnesses and evidence - (Sections 88 and 89). This power is further reinforced by the respective Standing Orders or Rules of the Senate and House of Representatives.

The essence of the exercise of oversight powers by the legislature is to expose corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it. In summary, the Legislature has the constitutional mandate to conduct oversight of the security sector through law-making, appropriation and investigation. This provides the constitutional grounds for the Legislature to oversee the executive, including the security sector and its supervising agencies.

2.2.10 Overview of Performance of the 8th and 9th Assembly on Security Sector

According to the Policy and Legal Advocacy Centre (2019), this factsheet aims to review the performance of the 8th and the 9th National Assembly towards Security Sector Reform/Governance (SSR/G) in Nigeria. Upon the 8th and 9th National Assembly's inauguration, the Senate and House of Representatives developed and adopted respective Legislative Agendas that prioritized taking legislative action in response to security challenges in the country. They resolved to address the worsening security crisis in the country by enacting laws aimed at protecting citizens, proposing legislation/ amendments on security reforms and ensuring improved exercise of its oversight role in the monitoring of expenditure allocated for national security.

Specifically, the House of Representatives resolved to:

- “provide legislative backing to measures aimed at addressing National Security challenges including terrorism and insurgency in the North-East of the country, kidnapping, and crime generally”; and
- Support the security services in tackling crime, terrorism and other National Security concerns.

The Senate on the other hand did not list specific items it would address, but made reference to enacting or amending existing laws to ensure “the security and welfare of every Nigerian on an equal basis and without discrimination based on gender, region or religion.” In addition, the Senate committed to taking legislative initiatives to address the problems of “unemployment, insecurity, absence of infrastructure and general economic decline.”

PLAC tracked actions by the 8th and 9th National Assembly taken between 2015 and 2023 aimed at addressing security challenges in the country. In the period, a significant number of security sector reform-related bills were introduced, however, less than 40 were considered or deliberated upon in

the Senate and less than 30 were considered in the House of Representatives. Bill sponsors rarely followed through with their bills, most of the bills introduced never made it to 2nd reading stage, and even fewer were committed to committees or discussed at plenary.

Motions and Resolutions seemed to be the most popular and frequently used legislative action with over 100 raised in the Senate and over 200 raised in the House. Unfortunately, many motions and bills referred to committees were not treated or reported to the committees for discussion and adoption by plenary.

A motion is a proposal moved by a Member of the House to do something, to order something to be done, or to express an opinion about some matter. A resolution is an expression of the will, wish, or direction of the Legislature.

A resolution generally does not have the effect of law. In any case, resolutions which are a quicker way for the National Assembly to respond to issues do not have the force of law, meaning that the persons or agencies they are directed to are not compelled to obey them. NASS can however summon such agency or use its “power of the purse” to enforce compliance.

Oversight appears to be the weakest among the legislature’s three main constitutional responsibilities of lawmaking, representation and oversight. Unfortunately, this is the function that is most needed for security sector accountability. In the 8th Assembly, the number of oversight visits in both Chambers was low. Records revealed little to no evidence of physical evidence of oversight visits by committees. And in cases where this was done, the reports were not presented for consideration at plenary. Publicly available records show that only about 8 oversight visit reports were tabled in each chamber by security sector-related committees within 8 years of 2015 – 2023. It is also unclear if the recommendations in those reports were ever followed or enforced. This calls to question the commitment of the Legislature to improved security sector oversight towards addressing the security challenges they met upon their inauguration and afterwards.

List of key SSR bills passed by 8th and 9th Assembly

Bills passed by the House of Representatives:

- Prevention of Crimes Act (Amendment) Bill (now Act), 2016
- Nigerian Police Trust Fund Bill (now Act), 2019
- Explosives Act (Amendment) Bill, 2016
- Vigilante Group of Nigeria Bill, 2017
- Defence Space Administration Bill, 2016
- National Security Agencies Protection of Officers Identity Bill, 2016
- Compulsory Treatment and Care of Victims of Gunshot Bill (now Act), 2017
- The Secure the Border Bill (now Act), 2023
- Border Security and Enforcement Bill(now Act) 2023
- Border Reinforcement Bill (now Act), 2023

‘The main goals of legislative oversight are to prevent waste, fraud, and abuse, especially over funds appropriated by NASS, and also to protect citizen’s rights. In some other jurisdictions, comprehensive oversight plans for committees are adopted for improved effectiveness.

Bills passed by the Senate:

- Firearms Act (Amendment) Bill, 2017
- Air Force Institute of Technology of Nigeria Bill (now Act), 2017
- Defence Space Agency Bill (now Act), 2016
- Abduction, Wrongful Restraints and Wrongful Confinement for Ransom Bill, 2017
- Defence Research and Development Bureau (Establishment) Bill, 2018
- Nigeria Peace Corps (Establishment) Bill, 2015

- Prisons and Correctional Services Bill (now Act), 2019
- Police Bill (now Act)
- Anti-Jungle Justice and Other Related Offences Bill, 2015
- North East Development Commission Bill (now Act), 2018
- Social Security Fairness Bill (now Act), 2023
- Department of Homeland Security Appropriation Bill (now Act), 2023

Outstanding Issues from the 9th Assembly

Several security bills and issues were left unconcluded in the 9th National Assembly. These include:

- **Police Bill:** The Police Bill was introduced in May 2018 and was passed by the Senate in April 2019. The Bill was however negative by the House of Representatives at the second reading. The Bill sought to repeal and re-enact the Police Act of 1943, to bring the police in line with modern policing practices.
- **Restriction on the use of Armed Forces in Internal Operations:** Questions have been raised on the role of Armed Forces in internal security operations, especially given various operations around the country that have led to the problems of excessive use of force and extrajudicial killings. A Bill on Restriction on the Use of the Armed Forces in Internal Security Operations sought to clarify the role the Armed Forces should play in internal security operations and the process for activating protocols for its use. The Bill got to the second reading but did not go beyond the committee stage.

2.3 Empirical Review

“A study by Juweh (2021) examined the extent to which the Senate Committee on Defence carried out its oversight function from 2015 to 2019. It also assessed the performance of the oversight function by the Senate Committee on Defence in the 8th Assembly, identified the challenges that have affected the Committee in the discharge of its functions, and recommended ways that would improve the committee in the performance of its oversight functions. The study adopted the mixed research design thus, relying on quantitative and qualitative data. Data was, therefore, taken from primary (administration of questionnaires) and secondary (official publications of the National Assembly, journal articles, magazines, the internet, the sessional reports of the Senate Committee on Defence, etc.) sources. The prose and descriptive methods that emphasize the textual presentation of data were employed for the analysis of qualitative data, while the Statistical Package for the Social Sciences (SPSS 16.0) was used to analyze quantitative data which were presented using simple frequencies. Findings revealed that the 8th Senate Committee on Defence undertook oversight of the activities of agencies such as; the committee Ministry of Defence (MOD), Defence Headquarters (DHQ), Nigerian Defence Academy (NDA), Defence Research and Development Bureau (DRDB), Defence Industries Corporation of Nigeria (DICON), Armed Forces Command and Staff College (AFCSC), National Defence College (NDC), Defence Space Agency (DSA), etc. Given this, empirical data found that the committee; had a total of 17 meetings, made 2 oversight, had 1 public hearing, and 4 budget hearing sessions, received 6 referrals including motions, held 2 interactive sessions with Ministries, Departments, and Agencies (MDAs) under its jurisdiction, 6 public reflection sessions. However, the study found that the lust for money, lack of oversight performance evaluation mechanism, conflictive executive-legislative relations, and noninvolvement of CSOs in the oversight process, among others, militated against the performance of oversight xii by the committee. Conversely, the study recommended the active involvement of Civil Society Organizations (CSOs), resolving financial and material constraints peculiar to the committee and executive agencies, and

constructive executive-legislative relations, among others, as measures that would improve the performance of the Senate Committee on Defence in the future, strengthen the oversight process, as well as entrench good governance culture. The Senate Committee on Defence has undoubtedly discharged its oversight mandate, but not without pockets of challenges cropping up from time to time. This is, at best attributed to human nature which cannot be divorced from such inanities. Since governance is often at the centre of legislative representation, it is important to implement the recommendations contained in this study to enhance the effectiveness of the oversight function of the Senate Committee on Defence especially, seeing that for good governance to exist, matters relating to security must be taken seriously.

As reported by Yusuf (2020) in his study democracy, oversight and legislature in Nigeria. He noted that there is a wide range of scholarly literature suggesting that the oversight function has increasingly impacted the democratization process in Nigeria. Accordingly, it was debated that the oversight function had been severely misused and compromised by the legislature in Nigeria. However, despite many allegations against committees of oversight, it has been also argued that there are many instances where the executive has changed and responded to the recommendations of the legislature after conducting ex-post oversight, and that has proved useful to democracy. This paper studies how the oversight function of the legislature helps democracy in Nigeria from 1999-2015. The paper argued that the legislature in the Fourth Republic has increasingly used its oversight function not only in controlling the executive but also contributed to the stabilization of politics, reduction of corruption and increasing the quality of democracy. The study engaged in semi-structured face-to-face interviews with relevant informants. What follows, ultimately, is a qualitative analysis of the data collected. The paper revealed that the function of oversight is improving in Nigeria. However, there are allegations of corruption against the legislature in performing that function. The study suggested that the legislature should be checkmated to reduce misconduct in some of their activities.

Similarly, its recommendations and resolutions should be recognized and accepted by the executive to enable the democratization process.

Inokoba and Okoro (2020) investigated security agencies as challenges to electoral integrity in Nigeria's fourth republic. They noted that security is a significant part of electoral administration. This is especially true in emerging, nascent and budding democracies like Nigeria where the electoral systems are still largely evolving. The level of voters' turnout and political contestants' participation, the credibility of electoral results and ultimately the legitimacy conferred on the emergent government, largely depend on how well the security of the elections is managed. As such the role of security agencies in the management of elections in Nigeria occupies a strategic position in the electoral process, and by implication, the consolidation of democratic governance. And since such agencies play significant roles in organizing democratic elections, their actions or inactions could make or mar elections. However, since the emergence of the Fourth Republic, the role and conduct of security agencies in the electoral process have left much to be desired. The unprofessional and unpatriotic activities of these security agencies in Fourth Republic elections have in a lot of ways undermined the integrity and democratic quality of these elections. As such the paper is undertaken to unravel the role of security agencies in the unending electoral crisis afflicting democracy in Nigeria. The data for this paper were drawn from secondary sources while personal observation and interviews with security personnel were employed to complement findings from the literature. The study concludes that security agencies through their compromising roles in electoral fraud and violence, have become a major hindrance to the institution of electoral integrity and democracy in Nigeria's Fourth Republic.

A study by Uzuegbu-Wilson (2019) reported on the security sector of governance and its impact on development in Nigeria. He reported that since the independence of the Nigerian state in 1960, insecurity remains the greatest hindrance to sustainable development with varied issues of insecurity emanating from a wide range of sources over time. While the state adopts different models to combat

the security challenges generated, the deficits in the management of security sector governance become an issue of great concern and need to be factored in as a critical component for maintaining and sustaining development and human security. This is against the backdrop that the law enforcement system in Nigeria is fraught with a lot of issues and challenges that negatively impact development. This paper therefore reviewed the human security challenges facing the Nigerian state and critically examined the role that security sector governance plays in addressing those developmental challenges. The paper adopted a historical approach and qualitative descriptive method of research and also human security provisioning as a theoretical framework for analysis. The paper concluded that a comprehensive reform of the security sector with a standard set for security governance remains critical to efforts aimed at addressing the developmental challenges of Nigeria.

As reported by Ayuba (2014) on the challenges of parliamentary oversight on the security sector in Nigerian democracy. The study unravelled the multiple challenges defining the complex nature of relations between the security sector and the institutional framework within emerging democracies, in this instance, the legislature that is responsible for overseeing it. The article exposes a multiplicity of these challenges which include massive corruption, the inexperience of parliamentarians, the extremely limited tenure of oversight functionaries and the secrecy laws, which conspire to make it difficult for lawmakers to work effectively. The perspectives of the article depended on a wide spectrum of security sector literature to knit its arguments. Recommendations focused on suggesting that parliamentarians should endeavour to make an effort aimed at overcoming the areas that constitute a challenge to their oversight responsibilities. In addition, the government should be seen to be vigorously pursuing an agenda that seeks to rid its institutions of corrupt officials whether in parliament or the security sector”.

2.4. Challenges to Effective Security Sector Oversight in Nigeria

Bentick and Born (2013) highlight the significant difficulties faced by emerging democracies, such as Nigeria, in establishing effective parliamentary oversight of their security sector. These fragile democracies struggle to ensure that civilian control over the military and other security forces is firmly established. This is because these security agencies often maintain a sense of autonomy and continue to exert considerable influence within the state and society even after the transition to democracy has been formally completed.

The Nigerian Constitution of 1999 grants the President an overwhelming amount of control over the country's defence and security apparatus, significantly hindering the ability of the legislature to effectively oversee these vital sectors. This imbalance of power undermines the role of the legislature as the representative voice of the people in the governance process. Although oversight responsibilities of the National Assembly include the right to summon heads of security agencies to give account of activities and procedures; however, they cannot interfere in operational matters in the security sector. This constitutes a limitation to legislative oversight.

The absence of a clear directive in the Constitution regarding the military's accountability to the people and their elected representatives creates significant challenges. Specifically, the 1999 Constitution does not adequately empower the National Assembly to effectively oversee and check the actions of the executive branch, particularly regarding the control and management of the crucial security sector (Aluko, 2015). In this context, it has been argued that the 1999 Constitution, handed over by the military regime of Gen. Abdulsalami Abubakar to the democratically elected government of President Olusegun Obasanjo, has maintained a security sector governance model that mirrors those typically seen under military rule. However, an opposing viewpoint suggests that the issue lies more with the executive's attitude and their reluctance to be held accountable to civilian authorities, rather than with the existing constitutional framework itself.

Another contributing factor is the lack of informed knowledge and expertise among elected civilian authorities. As some respondents pointed out, there is a significant shortage of technical expertise on security issues within both state and national legislatures. A key reason for this is the limited capacity of legislators, which is largely driven by low retention rates in the legislature. For example, during the 7th National Assembly (2011-2015), out of 469 legislators (109 Senators and 360 Members of the House of Representatives), only 187 were re-elected, while 282 were newcomers. This results in a retention rate of just 25%.

In the 8th and 9th National Assemblies, there is less than a 31% retention rate. A low retention rate in the legislature does not give room for capacity building and results in loss of institutional memory, which is detrimental to effective legislative oversight. Furthermore, the lack of technical capacity of legislators, lack of clarity on the oversight role, lack of resources to engage in-house professionals and consultants, as well as ineffective communication with military professionals often result in gaps in policy legislation and oversight.

Another factor is the inefficient use of the committee system in the legislature. Although there is an institutionalized and standing or permanent committee system in the National Assembly, in practice, it has been largely driven by what respondents have described as “ad-hoc” rather than a systematic arrangement underscored by general principles of oversight in the governance of the security sector. A respondent also noted that individuals, who have little or no competencies, are often in charge of security-related committees in the National Assembly and this manifests in the form of a lack of understanding of security matters and weak oversight.

Another factor impeding effective legislative oversight of the security sector is what a respondent described as the “use of public offices for personal vendetta.” According to the respondent, there have been cases where retired and experienced military personnel heading legislative oversight committees

have brought personal grievances with the service to bear on official duties, which turned out to impact negatively on the quality and purpose of oversight.

The secrecy in which the security sector operates equally creates a challenge in legislative oversight. As has been noted, the narrow definition that restricts security to its military dimension precludes the notion that security knowledge should be widespread and its activities made transparent, even to elected representatives of the people. Thus, the security sector has employed secrecy and successfully managed to keep prying eyes at bay under the excuse of protecting national security, thereby preventing proper parliamentary and extra-parliamentary monitoring of security agencies.

On the contrary, while a respondent agreed that the security sector in Nigeria, like every other country, operates in an environment of secrecy, he argued that it should not be a hindrance to effective oversight. According to him, “the problem lies in the deliberate refusal of politicians and practitioners to do their job” because of personal and pecuniary interests, which leads to undue demand from MDAs by oversight bodies resulting in compromise and poor oversight. The lack of willpower and courage often exhibited by some legislators in security sector oversight has been attributed to the lack of integrity that characterises the performance of their oversight functions (Aluko, 2015).

A very good example cited was the 2012 House of Representatives investigation of the fuel subsidy scam occurring in the country at the time and the subsequent allegation of demand and collection of a bribe of \$620,000 by Hon. Farouk Lawan from the Chairman of Zenon Oil, Mr. Femi Otedola (Channels Television, 2012).

Hon. Lawan was the Chairman of the investigative panel set up by the House of Representatives to probe the subsidy payments to various oil-marketing companies by the federal government and Otedola’s company was under investigation and to be indicted by the panel. Unfortunately, the bribery scandal compromised the report of the panel and completely scuttled the oversight process.

The point the Respondent was making here is that non-enforcement of ethical standards and compromise within the ranks of the legislature makes effective implementation of legislative oversight near impossible.

Lack of political will can also be attributed to ethnic and political loyalties. Oftentimes, political party or ethnic loyalties and affiliations are prioritised over and above respect for and adherence to democratic values and principles. In practice, legislators are sometimes unwilling to challenge a member of the executive who is a member of their party or ethnic group for personal and political reasons. It is important to note that the executive (President and Governor) controls the machinery of the party and therefore wields extensive powers. Oftentimes, this has resulted in legislators being unable to exercise the political will to even use the oversight powers at their disposal constructively and effectively.

There is a somewhat unanimity among respondents on an overt failure of legislative oversight of the security sector in Nigeria, which has aided the creation of weak institutions in government.

CITAD (2021) provided pointers to this failure of oversight include the excessive financial corruption and economic crimes within the sector is evident by the ongoing investigations into and recovery from alleged culprits in the “Dasuki arms deal” scandal; an investigation into the misappropriation of USD 2.1 Billion meant for the procurement of military hardware by the Office of the National Security Adviser (ONSA) in 2012.

Aluko (2015) alluded to this manifest failure when he posited that the inability of Nigeria’s legislative body to carry out its oversight functions over the security sector constitutes a major constraint to security sector performance. This he believed has created loopholes for corruption and politicization of the sector. Aluko argues also that this is largely due to executive or presidential control over the sector, rather than the representatives of the people, the National Assembly. The non-detection of the Dasuki saga despite the various alarms raised in 2014 as to the monumental corruption being

perpetrated in the security sector is a clear indication of the shortcomings in security sector oversight in Nigeria. In 2014, an anonymous soldier had chronicled that:

The corruption in the Nigerian military environs is higher than in the political sector. In my Unit, soldiers live without accommodation. In the little space available, they are being paired up with two and three in a room. Still, millions are being spent on the gigantic edifice of the Airlodge located near Ribadu Square, Jimeta, Yola, which is meant for senior officers. Millions are located in the ongoing project of Air Chief Marshal A. S. Badeh's golf club (along Jambutu Numan Road, Yola). I know that soldiers serving in 37 BSG and 75 STG, Yola (war zones) are not being paid their operational allowances. It is crystal clear to us that the funds are coming from the DHQ Abuja, but the money is diverted to the private pockets of a few chosen ones. Our colleagues in the Nigerian Army have to endure a similar fate.

Several factors have been identified as being responsible for the obvious failure of legislative oversight of the security sector. For some respondents, members of the legislative oversight committees for security-related agencies and institutions lack the technical knowledge, the requisite expertise and relevant competencies to provide the necessary oversight of the security sector. One respondent noted that in situations where members have the competence and expertise, "they see their membership of the legislature as an opportunity to avenge whatever wrong was done to them while in military service, which compromises the quality of oversight." Other factors that account for the failure of legislative oversight were enunciated by the respondent to include the following;

- Politicisation of the leadership of the oversight institutions;
- Compromise of standards due to undue demands from oversight institutions on security agencies; and
- Politicisation of the military in internal security operations (ISOs)."

While some respondents agreed that the Dasuki scandal primarily stemmed from deficiencies in security sector oversight, others argued that the security agencies were initially willing to use the funds for their intended purposes. However, international regulations and political factors prevented the realization of that intent. On the other hand, one respondent believed that the scandal was not a result of oversight failure, but rather a clear instance of corruption, irresponsibility, and a lack of fiscal and moral discipline by those responsible for disbursing the funds. This view was supported by another respondent who described the scandal not only as a failure of oversight, but also as a reflection of the character and nature of those in charge, marked by corruption, compromise, and personal financial interests.

2.5. Gap in Knowledge

It's important to acknowledge from the beginning that the ideas surrounding legislative oversight of the security sector are well-established within academic literature on legislative studies. However, considering the ever-changing nature of affairs, a focused examination of the performance of this oversight function during the period of 2015 to 2023 is necessary. Existing research, as reviewed earlier, often addresses these concepts separately, thereby creating a gap in the current understanding. Furthermore, specific attention to the oversight of the security sector is often lacking in these studies. Even when the security sector is considered, such analyses typically do not cover the recent time frame of 2015-2023. Therefore, recognizing this gap in knowledge within the existing literature, this study aims to contribute by specifically investigating the oversight of Nigeria's security sector during this particular period.

2.6 Theoretical Review

According to Amadi (2024), legislative oversight of security agencies is a fundamental component of democratic governance, aimed at ensuring accountability, transparency, and efficiency in the security sector. Security agencies, including the police, military, and intelligence services, operate within the

framework of government authority, but their actions must be subject to scrutiny to prevent abuse of power, mismanagement, and inefficiency. Legislative oversight serves as a mechanism to regulate these agencies, ensuring they operate within legal and ethical boundaries while fulfilling their primary role of maintaining national security.

The effectiveness of legislative oversight depends on several factors, including the structure of governance, the legal framework guiding oversight functions, and the willingness of the executive to cooperate with the legislature. In Nigeria, the National Assembly exercises oversight through various mechanisms such as budget approvals, investigative hearings, and security sector reforms. However, the extent to which these efforts have led to improved security governance remains a subject of debate. Several theoretical perspectives have provided a foundation for understanding the nature, challenges, and effectiveness of legislative oversight over security agencies. For this study Separation of Powers Theory was used.

2. 6.1 Theoretical Framework-Principle of Separation of Powers

In his 18th-century work *The Spirit of the Laws*, Baron de Montesquieu (1748) introduced the principle of the separation of powers. In simple terms, Montesquieu's model divides government into three distinct branches: legislative, executive, and judicial. He advocated for a constitution where each branch has clearly defined powers that allow them to check each other's authority. However, the concept of separating powers among different government branches can be traced back to ancient Greece. Specifically, Omejec (2015) suggested that in Chapter IV "of the Constitution of England", Montesquieu stated:

"In every government there are three sorts of power: the legislature; the executive with respect to things that depend on the law of nations; and the executive with regard to matters that depend on the civil law. By virtue of the first, the prince or magistrate enacts temporary or perpetual laws and amends or abrogates those that have been already enacted. By the

second, he makes peace or war, sends or receives embassies, establishes public security, and provides against invasions. By the third, he punishes criminals or determines the disputes that arise between individuals. The latter we shall call the judiciary power, and the other, simply, the executive power of the state. The political liberty of the subject is a tranquillity of mind arising from the opinion each person has of his safety. In order to have this liberty, it is requisite that the government be so constituted as one man need not be afraid of another” (Omejec, 2015).

Montesquieu argued that liberty cannot exist when legislative and executive powers are held by the same individual or group. This is because a single monarch or governing body could create oppressive laws and enforce them in a tyrannical way. Similarly, liberty is threatened if the judiciary is not independent from the legislative and executive branches. Montesquieu warned that if the judiciary were combined with the legislature, it could lead to arbitrary control over individuals' lives and freedoms, as judges would also be the lawmakers. If the judiciary were linked to the executive, judges might exercise power with violence and oppression. Omejec (2015) concluded that the combination of all three powers—legislative, executive, and judicial—by the same person or group would result in the destruction of freedom and justice.

The separation of powers theory plays a vital role in enhancing legislative oversight of the security sector. This theory ensures that power is distributed evenly among the legislative, executive, and judicial branches of government, preventing any one branch from dominating the other.

In the context of legislative oversight, the separation of power theory enables the legislative branch to effectively check the actions of the executive branch, particularly in the security sector. This is achieved through various mechanisms including:

- Oversight committees: these committees are responsible for monitoring the activities of the executive branches, including the security sector. They have the power to summon officials, review documents, and conduct investigations.
- Budgetary oversight: the legislative branch has the power to approve or reject the budget of the security sector, ensuring that funds are allocated effectively and efficiently.
- Legislative Review: the legislative branch can review and amend laws related to the security sector, ensuring that they align with the principles of democracy and human rights.

Therefore, effective legislative oversight in the security sector is crucial for preventing abuses of power, promoting transparency, and ensuring accountability. By leveraging the separation of power theory, legislatures can prevent unauthorized expenditures by ensuring that the executive branch does not exceed its budget or engage in unauthorized expenditures. Also, protect human rights by monitoring the actions of the security sector to prevent human rights violations. Thus, promote transparency by requiring the executive branch to provide regular reports and information on its activities in the security sector.

CHAPTER THREE

RESEARCH METHODOLOGY

This Study employed a mixed method of research design in this study and collected both qualitative and quantitative data. The Chapter presents various procedures or Methodology adopted in the collection, collation and analysis of the data to assess the effect of Legislative oversight of security sector ((2015 -2023), It describes the research design, study Area, population, sampling techniques and data collection methods and analysis techniques and measures taken to ensure validity and reliability.

The purpose of this chapter is to provide a clear and transparent account of the research process which enables readers to understand how the data was collected and analyzed and how the findings were arrived at. The Purpose of this chapter is to show the methods the researcher used in data collection, collation and analysis. This chapter explains that the qualitative and quantitative techniques were combined in this research.

3.1 Research Design

This Researcher used both qualitative and quantitative methods of the research design. In order words, a mixed method of research design was used in the data collection and analysis of this research. Interviews were conducted using in-person method and questionnaire shall be administered for final analysis.

Sources of Data Collection

Two research methods were used in this work. Primary and secondary sources of data collection.

Primary sources: The primary sources used in this research include questionnaire and Interview.

Questionnaire: One hundred (100) Questionnaires was drafted and distributed to the sampled population who are considered members of the committee on security agencies to give answers to the

questions asked. The questions asked are those that will help the researcher to determine the level of performance expectations of the committee for assessment purposes.

Personal Interview: The researcher conducted interviews for some selected people who are considered as clerks, Chairman of committees, Secretariat Staff and Members of the committees. The outcome of the interview gave the researcher the necessary understanding on the subject and the researcher was able to learn from the experience of others who have done similar work on the topic.

Secondary Source: Past Projects of students on similar topics were referred to in the course of this research. These are information that already existed in printed form which the researcher have collected and documented. They are secondary because such information was obtained by some other researchers whose research was found to be relevant to the subject under review. The secondary sources were obtained from websites of other publications, projects, journals, Google Scholar and textbooks, internet and so on.

3.2 Study Area and Population

This study adopted the mixed research design using quantitative and qualitative data. The target population of this research was 100 and purpose sampling procedure which emphasizes the choice of respondents based on set criteria was adopted for the selection of respondents from the sample size of 100 and 16 for the administration of the questionnaire and conduct of the key informant interviews respectively. Data were taken from primary (questionnaire) and secondary (that is, Senate and House Committee on security Agencies (2015-2023) journals, Reports and magazines, internet, etc.) sources. Content analysis was used in analyzing qualitative data while descriptive statistics were adopted to analyze quantitative data. Quantitative data were presented in tables whereas qualitative data were outlined in essay format.

This study was carried out on the Committee on Security Agencies (2015 -2023) of Nigeria National Assembly. The target population of this study comprises males and female members and staff of the

Committee Agencies on security as well as Clerks of Committees, Chairman of committees in the Senate and House of Representatives. The population of the respondents was based on One hundred (100) questionnaires administered, which was completed and returned. The key informant and one on one interview was conducted to Committee Clerks, chairman, Police Affairs, Army, Navy, Air Force and Staff of the Senate and House Committee that interact with the Committee on security sector.

S/N	Committees/Agencies	Population
1	Senate Committee on Army	25
2	Senate Committee Air force	22
3	Senate Committee on Navy	25
4	Senate Committee on Defense	35
5	Senate Committee on Police Affairs	28
6	House Committee on Airforce	38
7	House Committee on Defence	44
8	House Committee on Navy	34
9	House Committee on Police Affairs	48
10	House Committee on Army	40
11	Others (Clerks, Secretaries)	28
	Total	367

Source: Authors preliminary investigation, 2024

3.3 Sampling Technique

Sample Size: For the purpose of this study, purposive sampling technique was used to select the key informants and respondents for questionnaire administration. A number of staff of the committee on the relevant security Agencies and the Clerk of the committees as well as some senior members of the committee numbering one hundred was served questionnaires while sixteen people were interviewed.

S/N	Committees/Agencies	Sample Population
1	Senate Committee on Army	8
2	Senate Committee Air force	7
3	Senate Committee on Navy	8
4	Senate Committee on Defense	10
5	Senate Committee on Police Affairs	8
6	House Committee on Airforce	10
7	House Committee on Defence	12
8	House Committee on Navy	10
9	House Committee on Police Affairs	12
10	House Committee on Army	11
11	Others (Clerks, Secretaries)	4
	Total	100

Source: Authors preliminary investigation, 2024.

3.4 Questionnaire Design

The questionnaire was made up of different questions with options from which respondents could choose the most appropriate. The questionnaire was also divided into two main parts – the first part contained questions relating to the historical background of the respondents, while the second part contained questions that have to do with the topic under the research. In all, fifteen (15) items were raised to supply answers representing their opinions.

The fifteen (15) questions raised were subdivided into three aspects under the following captions, which also aligned with the objectives of the study.

- To determine the ways the 8th and 9th National Assembly carry out its oversight function on security agencies in Nigeria.
- To examine the factors that influence legislative oversight of the security sector in Nigeria.
- To ascertain the extent of legislative oversight of security agencies in the 8th and 9th National Assembly.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS, AND DISCUSSION

This Chapter embodies presentation, analysis and discussion of the data. One hundred (100) questionnaires was administered, 80 was completed and returned. The key informant and one on one interview was conducted to Committee Clerks, Chairmen, committee on interior, Army, Navy, Air Force and Staff of the Senate and House Committee.

4.1 Analytical Framework

Objective One

To examine the roles of the legislature and committees to enhance security agencies' operation. The legislative body (National Assembly), monitors, scrutinizes reviews and evaluates the performance of the security agencies on a continuous basis to ensure effectiveness, efficiency and good performance in the security sector. In achieving this objective, the researcher scrutinized the constitution, *Section 14(3) of the 1999 Constitution of the Federal Republic of Nigeria (as amended)* and the Senate and House of Representatives standing Rules to establish the role of legislature and committees in oversighting of security agencies. From the investigation, it was revealed that the legislature is responsible for making public laws and maintaining order, appropriation of funds to agencies and securing public safety.

In the fundamental objectives and directive principles of state policy, under the government and the people, chapter 11 section 14 sub-section (b) states that the security and welfare of the people shall be the primary purpose of government; and the importance of the legislature on security issues can vividly be seen from the very fact that the legislature is responsible in passing laws that guide, regulate and define the various agencies of the security sector including their powers and functions for good governance.

Objective Two

The primary method of data collection for the study was the Key Informant Interview (KII). Data generation targeted members of the serving committee clerk, past committee clerks, committee staff, and members of National security actors. A breakdown of the particulars of key informants is shown below.

To complement the Key Informant Interviews (KII), the study also utilized secondary data sourced from existing literature. The feedback and findings obtained through these methods were then analyzed. The research was conducted in two distinct stages. The initial phase involved a thorough desk review of secondary data and information pertaining to the legal and institutional structures governing security sector oversight in Nigeria. This included examining reports on security challenges and, where available, the activities of oversight bodies. The subsequent phase focused on gathering primary data and information through in-person Key Informant Interviews (KII), for which a specific interview guide was created. This was accomplished through on-site investigations and direct engagement with committee clerks of security agencies. To facilitate the analysis process, the key informants were organized into two distinct categories:

- Practitioners – Serving and past committee clerks and committee staff, security operatives and Members of the National Assembly responsible for oversight. A total of 16 key informant interviews (KIIs) were conducted over the period of the study. The respondents, carefully selected by the researcher, included:
 - Armed Forces Staff of the National Institute for Policy and Strategic Studies;
 - Members of the Senate and House Committees on Army, Air force, Navy, Defence, Police Affairs and Interior;
 - Serving and past committee clerks;

- Serving Senior Police Officers and State Security Services officers;
- Committee staff and staff of National Assembly;

A key informant interview guide was developed to guide the discussions and elicit feedback on the framework, guidelines, legal mandate and perceptions on the efficacy of security sector oversight.

The basic steps included;

- Formulation of study questions
- Development of the interview guide
- Selection of key informants
- Interview sessions
- Note taking and documentation on interview summary sheets
- Analysis of data retrieved.

Breakdown of Particulars of Respondents

Key Informants	Rank	M	F	Number	Serving	Retired
Army	Captain	1	•	1	1	•
Navy	Navy captain	-	1	1	1	•
Air force	Wing commander	-	1	1	-	1
Police force	DCP	2	2	4	2	2
legislator	Senator & H/Rep	1	1	2	2	-
clerk	Committee clerk	2	-	2	2	-
Committee staff	Committee staff	3	2	5	5	-
total		9	7	16	13	3

Sources: key informant interview, Jul 16th to 22nd, 2024

Objective Three

To obtain primary data, the questionnaire was developed and administered randomly to some targeted members of the serving committee clerk, past committee clerks, committee staff, and members of National security actors. The respondents were allowed five days to enable them to provide the relevant information required.

Furthermore, the questionnaire was geared towards ascertaining the gaps in key principles and legislative standards, which are instrumental to document oversight of the security sector in Nigeria.

4.2 Demographic Information of the Respondents

Table 4.1 Indicates the **Sex** distribution of respondents' population.

One hundred (100) Questionnaires was drafted and distributed to the sampled population who are considered members of the committee on Rules and Business to give answers to the questions asked. The questions asked are those that will help the researcher to determine the level of performance expectations of the committee for assessment purposes.

Table 4.1 Sex Distribution of Respondents

Variable	Frequency	Percentage (%)
Male	70	70
Female	30	30
Total	100	100

Source: Field work, October, 2024

Based on the respondents questionnaires received, Male respondents constituted 70 percent while female respondents constituted 30 percent making 100 percent. With this information, it can be concluded that males participated more than females in the study.

Table 4.2: Age Distribution of Respondents

Variable	Frequency	Percentage (%)
18 – 39	50	50
40 – 49	30	30
50 – above	20	20
Total	100	100

Source: Field work, October, 2024

Table 4.2 shows that, 50% of the respondents were between 18 – 39 years, 30% fell within the range of 40 – 49 years and 20% were within the age range of 50 and above. With this information, it can be deduced that most of the respondents fell within the age range of 18 – 39 years.

Table 4.3: Marital Status of Respondents

Variable	Frequency	Percentage (%)
Married	70	70
Single	30	30
Total	100	100

Source: Field work, October, 2024

The above data shows that 70% of the respondents are married (70 respondents) and 30 % of the respondents are single (30 respondents).

Table 4.4: Educational Qualification of Respondents

Variable	Frequency	Percentage (%)
OND/NCE	20	20
BSC/HND	50	50
PGD and above	30	30
Total	100	100

Source: Field work, October, 2024

The educational qualifications of the respondents as shown above indicates that those with 20% have obtained either OND or NCE, 50% have obtained either BSC or HND and finally, 30% have acquired Postgraduate Degrees and above.

Table 4.5: Committees of Respondents

Committees	Frequency	Percentage (%)
Committee on Defence	25	25
Committee Air force	25	25
Navy	25	25
Army	25	25
Total	100	100

Source: field work, October, 2024

Table 4.3 reveals that, 25% of the respondents were from committee on Defence, 25% were from Committee on Air force, 25% were from security agencies on Navy and 25% were from security agencies on Army. From this observation it can be concluded that the questionnaires were evenly

distributed between the committees and the security agencies i.e. 25 questionnaires were administered to each of the respondents.

Analyzing Section B of the Questionnaire

1. To Determine the Ways The 8th and 9th National Assembly carry out its Oversight Function on Security Agencies in Nigeria

The respondents were asked a set of questions to determine how the National Assembly went about its oversight function. Their responses are shown in table 4.4a below.

Table 4.6: Issues Raised in the Questionnaire

S/N	Issues Raised	SA	A	D	SD	Total
1	Does the National Assembly have good working with other arms of government	30%	40%	15%	15%	100%
2	Does the National Assembly committees on security visit security agencies for oversight function	30%	40%	25%	5%	100%
3	Do National Assembly sometime increase or decrease the budgetary provisions for the security sector	40%	30%	15%	15%	100%
4	Does the National Assembly interrogate the procurement process of the security agencies	30%	30%	20%	20%	100%
5	Does the books of security agencies scrutinize by National Assembly committees on security agencies	30%	30%	20%	20%	100%
6	Does National Assembly manifest lack of	30%	30%	20%	20%	

	integrity by members of oversight bodies whether in the parliament or in the extra- parliamentary oversight on agencies					
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Source: field work, October, 2024

Table 4.4a examines respondents' perception to determine ways 8th and 9th National Assembly carryout its oversight functions on security agencies raised in the section A of the questionnaire. The study revealed that 70% of the respondents agreed that National Assembly have good working with other arms of government while remaining 30% disagreed to this statement. It can then be concluded that National Assembly have good working with other arms of government.

The study also showed that 70% of the respondents are of the opinion that National Assembly committees on security visit security agencies for oversight function while remaining 30% of the respondents claimed otherwise. This infers that National Assembly committees on security visit security agencies for oversight function.

Furthermore, it was discovered that 70% of the respondents were of the perception that National Assembly sometime increase or decrease the budgetary provisions for the security sector while the remaining 30% of the respondents perceived otherwise. It can then be concluded that National Assembly sometime increase or decrease the budgetary provisions for the security sector.

It was however discovered that 60% of the respondents agreed that National Assembly interrogate the procurement process of the security agencies while the 40% of the respondents disagreed to this statement. Hence, this discovery infers that National Assembly interrogates the procurement process of the security agencies.

The study revealed that 60% of the respondents claimed that the books of security Agencies is being scrutinize by NASS committees on security Agencies while the remaining 40% of the respondents

disagreed to this. A conclusion can be reached that National Assembly scrutinize the books of the security Agencies.

It was also discovered that 60% of the respondents agreed that National Assembly manifest lack of integrity by members of oversight bodies whether in the parliament or in the extra-parliament oversight on agencies while the remaining 40% of the respondents disagreed to this statement.

After the 8th National Assembly's inauguration, the Senate and House of Representatives developed and adopted respective Legislative Agendas that prioritized taking legislative action in response to security challenges in the country. They resolved to address the worsening security crisis in the country by enacting laws aimed at protecting citizens, proposing legislation/ amendments on security reforms and ensuring improved exercise of its oversight role in the monitoring of expenditure allocated for national security.

Specifically, the House of Representatives resolved to: “provide legislative backing to measures aimed at addressing National Security challenges including terrorism and insurgency in the North-East of the country, kidnapping, and crime generally”; and support the security services in tackling crime, terrorism and other National Security concerns. The main goals of legislative oversight are to prevent waste, fraud, and abuse, especially over funds appropriated by National Assembly, and also to protect citizen's rights.

2. To Examine the Factors that Influence Legislative Oversight of Security Sector in Nigeria

The respondents were asked a set of questions to examine how effective legislative oversight of the security sector in Nigeria was. Their responses are shown in table 4.4b below.

Table 4.7: Issues Raised in the Questionnaire

S/N	Issues Raised	SA	A	D	SD	TOTAL
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1	Does the committee have an action plan on the oversight responsibility	30%	30%	25%	15%	100%
2	Does the National Assembly operate effectively within the legal framework to oversight security Agencies	40%	40%	15%	5%	100%
3	Does the National Assembly committees on security has the constitutional right and standing order to oversight the security sector	40%	40%	15%	5%	100%
4	Does the National Assembly have an adequate mechanism to monitor the activities of the security sector to ensure their transparency and accountability?	20%	20%	30%	30%	100%

Source: field work, October, 2024

Table 4.4b: examines respondents' perceptions to examine the factors that influence legislative oversight on the security sector raised in section B of the Questionnaire. It was discovered from the study that 60% of the respondents are of the opinion that committees have action plan on the oversight responsibility while the remaining 40% of the respondents responded otherwise. Hence an inference drawn that committees have action plan on the oversight responsibility.

The study also revealed that 80% of the respondents agreed that National Assembly operate effective within the legal framework to oversight security agencies while the remaining 20% of the respondent disagreed. It can then be concluded that the National Assembly operate effectively within the legal framework to oversight security agencies.

It was then discovered from the study that 80% of the respondents agreed that National Assembly committees on security has the constitutional right and standing order to oversight the security sector

while the remaining 20% of the respondents disagreed to this statement. The discovery then infers that National Assembly has the constitutional right and standing order to oversight the security sector.

The study also showed that 60% of the respondents disagreed that National Assembly have no adequate mechanism to monitor the activities of the security sector to ensure their transparency and accountability while the remaining 40% of the respondents agreed to this statement. This observation therefore infers that National Assembly has no adequate mechanism to monitor the activities of the security sector to ensure the security sector is transparent and accountable.

The various security and intelligence actors should operate within a clear legal and institutional framework governing their roles, mandates, and the hierarchy of authority between them, the legislature and the executive. The rules should make clear who has external and internal roles respectively, and how internal responsibilities are apportioned. Rules should be enforced through strong political commitment and effective instruments in both the civil domain and the security services.

The constitution usually clarifies who is head of the armed forces, and their relationship with the other security forces, the legislature and the executive.

Other legislation, such as a Defence Act in the case of the military, may prescribe the specific responsibilities and functions of the various security actors. There may be laws which stipulate immunities enjoyed by the security forces. In some countries customary law may also govern the activities of the security forces. Issues to be addressed in national legislation can include: The role of the legislature and audit agencies in scrutinizing security policy and spending. Specific mandates e.g. to ensure against overlaps between police, paramilitary and gendarmerie-style organizations, and the army. The internal security role of the military during both peace-time situations and states of civil emergency or natural disaster. Roles of the military and civilian intelligence and security agencies, including mechanisms of oversight and accountability

3. To Ascertain the Extent of Legislative Oversight of Security Agencies in the 8th National Assembly

The respondents were asked a set of questions to ascertain the extent of legislative oversight of security agencies in the 8th and 9th Assembly. Their responses are shown in table 4.4c below.

Table 4.8: Issues Raised in the Questionnaire

S/N	Issues Raised	SA	A	D	SD	TOTAL
1	Does legislative oversight help to reduce allegations of security fund mismanagement	20%	20%	30%	30%	100%
2	Are there issues of secrecy and lack of trust between the oversight bodies and the security sector which creates challenges and therefore, demand for transparency and accountability	40%	40%	10%	10%	100%
3	Does legislative oversight of the security sector in Nigeria bring about peace and harmony in the government	20%	20%	30%	30%	100%
4	Is there a lack of capacity and technical competencies by some oversight bodies as relates to oversight of the security sector	40%	30%	10%	20%	100%
5	Despite the extent of laws that require the sharing of public information such as the Freedom of Information Act, of 2011, security	40%	40%	10%	10%	100%

	in Nigeria remains one of the most opaque and secretive sectors in the Country					
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Source: field work, October, 2034

Table 4.4c: examines respondents' perceptions to ascertain the extent of legislative oversight on the security sector raised in section C of the questionnaire. The study showed that 60% of the respondents disagreed that legislative oversight does not help to reduce allegations of security fund mismanagement while the remaining 40% of the respondents agreed to this. It can then be concluded that legislative oversight does not reduce security fund mismanagement.

The study also revealed that 80% of the respondents agreed that there are issues of secrecy and lack of trust between the oversight bodies and the security sector which creates challenges and therefore, demands for transparency and accountability while the remaining 20% of the respondents disagreed to this statement. It can then be concluded that there are issues of secrecy and lack of trust between the oversight bodies and the security sector.

The study showed that 60% of the respondent disagreed that legislative oversight of the security sector does not bring about peace and harmony in government while the remaining 40% of the respondents perceived otherwise. It can then be concluded that legislative oversight of security sector does not brings peace and harmony in government.

It was however discovered that 70% of the respondents agreed that there is lack of capacity and technical competences by some oversight bodies as relates to oversight of the security sector while remaining 40% of the respondents disagreed to this statement. Hence, this discovery infers that there is lack of capacity and technical competences in the oversight of security sector.

It was noticed that 80% of the respondents agreed that despite the extent of laws that require the sharing of public information such as the Freedom of information Act, of 2011, security in Nigeria remains one of the most opaque and secretive sectors in the country while the remaining 20% of the

respondents disagreed otherwise. It can then be concluded that the security sector remains one of the most opaque and secretive sectors in the country.

The security sector encompasses all those state institutions, which have a formal mandate to ensure the safety of the state and its citizens against acts of violence and coercion, with a view to making it efficient, effective and responsive in their operation.

CHAPTER FIVE

SUMMARY, RECOMMENDATIONS AND CONCLUSION

This chapter covered the summary, conclusion and recommendations of the study. The summary provided a synopsis of all the chapters of this study; the conclusion presented specific ideas deduced from the study, while the recommendations are key points intended to suffice for the study problem.

5.1. Summary of Study

The endeavor of the researcher in this work is pinned on analyzing the National Assembly's oversight on security in guaranteeing good governance and democratic sustenance in Nigeria, hence, findings revealed that as a legislative house, the National Assembly is a veritable institution necessary for the advancement of democracy and good governance. And this all-important role is further strengthened by various constitutional provisions which confer wide powers on the legislature. However, observable trends have revealed that like in the previous legislative oversights, the extent of performance is far below the expectations of the electorates.

Also, summing up the gathered findings, the National Assembly is supposedly the nucleus of Nigerian democracy. More elaborately, National Assembly is the institutional link between the people and government being the eyes, ears and the voice of the people; hence, it is apt and precise that the National Assembly holds a supreme place in the country's democracy.

The quality of parliamentary oversight also depends on the knowledge and expertise of members of the legislative committee on defence and security-related issues.

Generally, the ability of the parliament to oversee the security sector is influenced by time factors and the level of expertise and information available to it. The truth is that there is a serious shortage of individuals well-versed in security matters within oversight bodies in most African countries. We should vigorously pursue programmes of deepening the knowledge of the parliamentarians on security-related issues to enhance the performance of their oversight functions over the sector.

5.2 Recommendations

This study recommends the following:

- a) NASS should take steps to ensure its independence in setting of the legislative agenda for the country
- b) NASS Security related committees should play a role in ensuring that there is policy and legislation dealing with how to characterize the internal security situation and in aligning the role and mandates of the security institutions accordingly.
- c) There should be increased involvement of the National Assembly in oversight of defence procurement.
- d) NASS should take steps to ensure improvement of institutional facilities and information resources for the security sector-related committees.
- e) NASS should embark on capacity building of its legislators and legislative staff serving in security sector-related committees.
- f) NASS should take steps towards the monitoring of impact of security laws and policies.
- g) NASS should take steps to improve accountability and transparency in the legislative process in relation to security governance matters.
- h) Legislators should take steps to improve engagement with constituents especially on their security concerns.
- i) In order for NASS security sector related committee to perform their oversight functions effectively, there is need to increased access to classified information.

5.3 Conclusions

The study establishes that the prevalent governance deficit that characterized the Nigeria's security sector is largely a result of the inability of the National Assembly to effectively carry out its oversight functions on the nation's security sector. It is observed that the lack of capability of the Nigeria's

legislative body (National Assembly) to effectively exercise its mandate over the nation's security sector is as a result of a plethora of reasons which include: the crisis of ownership of the 1999 Nigerian Constitution, the lack of credibility of the nation's electoral system, the lack of knowledge and expertise of the legislative body on the security sector, the character of the political class and the disdain of the mass of the people for what obtains in the civic-public realm.

It is noted that the crisis of performance bedeviling the Nigeria's legislative body with respect to its oversight responsibilities was deepened by the nature of the nation's politics. The political class sees public office as an opportunity to enrich self and cronies rather than deepening democratic values and ethos and advance collective national interest. Consequently, the control of the security sector for personal interest rather than for public good becomes critical.

Given that security reforms go to the heart of sovereignty, local ownership of such reforms seems even more compelling. The paper concludes that addressing the factors responsible for the inability of the nation's legislative body to effectively perform its oversight functions over her security sector is critical to the promotion of a security sector that is accountable, responsive and effective.

This study concludes that legislative oversight plays a vital role in ensuring accountability and efficiency in Nigeria's security agencies. However, challenges such as executive interference and weak enforcement limit its impact. Strengthening legislative independence and promoting civic engagement are essential for improving oversight effectiveness. A more active civil society can enhance transparency, hold security agencies accountable, and deepen democratic governance, ultimately leading to better security outcomes.

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