

**IMPROVING PARLIAMENTARY PERFORMANCE THROUGH THE RULES OF
PROCEDURE: A CASE STUDY OF THE NIGERIAN SENATE STANDING ORDERS**

BY

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**A DISSERTATION SUBMITTED TO THE NATIONAL INSTITUTE FOR
LEGISLATIVE AND DEMOCRATIC STUDIES/UNIVERSITY OF BENIN
(NILDS/UNIBEN) POST-GRADUATE PROGRAMMES IN PARTIAL FULFILMENT
OF THE REQUIREMENTS FOR THE AWARD OF MASTER DEGREE OF LAWS
(LLM – LEGISLATIVE DRAFTING)**

July, 2025

DECLARATION

I, Fidelia Ngowase YINA, with Reg No. PG2022_196438, hereby declare that this dissertation work is the product of my research efforts undertaken under the supervision of Dr. Mohammed Amali, and has not been presented by anyone previously, either in whole or in part to this institution or any other institution of higher learning or anywhere else for the award of a degree or certificate. I declare further that all sources have been duly distinguished and appropriately acknowledged. I remain solely responsible for all views and errors therein.

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This dissertation entitled “**IMPROVING PARLIAMENTARY PERFORMANCE THROUGH THE RULES OF PROCEDURE: MAKING A CASE FOR THE REVISION OF THE STANDING ORDERS OF THE SENATE OF THE FEDERAL REPUBLIC OF NIGERIA**” by **YINA FIDELIA NGOWASE**, with matriculation no. PG2022_196438, has been approved for the award of Master of Law (LLM) in Legislative and Democratic Studies (UNIBEN/NILDS).

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DEDICATION

To my extraordinary father, whose selfless devotion and unwavering support have been the bedrock of our family's strength, I offer my deepest gratitude. Your sacrifices have been the catalyst for my success, and I hope that this academic achievement honors the foundation you have laid for my siblings and I.

My heartfelt appreciation also goes to the Almighty God, whose unconditional love, guidance and providence have been my constant source of inspiration and strength. Without his divine favour, I would not have reached this milestone.

ACKNOWLEDGMENTS

I am deeply indebted to the numerous individuals who have supported me throughout my academic journey. Their unwavering encouragement, guidance, and expertise have been instrumental in the completion of this dissertation.

I extend my sincerest gratitude to the University of Benin and the National Institute for Legislative and Democratic Studies (NILDS) for providing me with the opportunity to pursue a Master of Laws Degree (LL.M.) in Legislative Drafting. The Institute's academic, administrative, and support staff have created a conducive environment that has made my experience truly enriching.

I reserve special acknowledgement for my supervisor, Dr. Mohammed Amali. His intellectual stimulation, rigorous critique, and unwavering support have significantly enhanced the quality of this research. His guidance has been invaluable, and I appreciate the time he devoted to reviewing my work, offering constructive feedback, and providing reassurance during challenging moments. Dr. Amali's expertise, counsel, and encouragement have been a constant source of inspiration, and I am grateful for the opportunity to have worked under his supervision

I wish to extend my heartfelt gratitude to several individuals who have contributed significantly to my academic journey. I am touched by the love, cooperation, and support received from my classmates throughout the duration of this program. The camaraderie and shared experiences have been a highlight of my time at the Institute.

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2. *Ojukwu v. Military Governor of Lagos State* (1986) 1 NWLR (Pt. 18) 621

LIST OF STATUTES

Assembleia da República. (n.d.). *Competences*

Constitution of the Federal Republic of Nigeria 1999 (as amended).

Election Commission of India. (2019). Report on the General Elections 2019. New Delhi: ECI.

European Parliament. (2016). *Potential and Challenges of E-Voting in the European Union*

National Assembly of Belize. (1967). *Standing Orders of the Senate*.

Nigeria, *Constitution of the Federation of Nigeria* (Good Press, 11 April 2021).

Nigerian Senate Standing Orders 2023 (as amended), Order 118 (Committee Reports)

Nigerian Senate Standing Orders 2023 (as amended), Order 121 (Public Hearings)

Nigerian Senate Standing Orders 2023 (as amended), Order 43 (Points of Order and Interruptions)

Nigerian Senate Standing Orders 2023 (as amended), Order 53 (Disorderly Conduct).

Nigerian Senate Standing Orders 2023 (as amended), Order 53 (Order of Speaking)

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Nigerian Senate Standing Orders 2023 (as amended), Orders 96 to 127 (Committee Rules)

Nigerian Senate Standing Orders 2023 (as amended), Orders 97 (Committee of Selection)

Nigerian Senate Standing Orders 2023 (as amended)..

The Nigerian Constitution 1999 (as altered), (The Right to Fair Hearing). https://nigerian-constitution.com/chapter-4-section-36-right-to-fair-hearing/#google_vignette

LIST OF ABBREVIATIONS

1.	FCT	-	-	-	-	Federal Capital Territory
2.	MPs	-	-	-	-	Members of Parliament
3.	PAC	-	-	-	-	Public Accounts Committee
4.	MDA	-	-	-	-	Ministries, Departments, and Agencies
5.	UNSCR	-	-	-	-	United Nations Security Council Resolution
6.	WPS	-	-	-	-	Women, Peace, and Security
7.	NAP	-	-	-	-	National Action Plan
8.	CSOs	-	-	-	-	civil society organizations
9.	EVMs	-	-	-	-	Electronic Voting Machines

ABSTRACT

The study addressed the problem of inefficiency in the Nigerian Senate arising from weaknesses in its procedural rules, particularly the Standing Orders. It highlighted how unclear speaking arrangements, inadequate voting procedures, politically influenced committee structures, and punitive disciplinary measures hampered the Senate's performance in law-making, oversight, and representation. The objectives of the study were to evaluate how reforms in speaking time allocations, voting and decision-making systems, committee composition and leadership, and disciplinary mechanisms could enhance parliamentary performance. The justification for the study lay in the urgent need to strengthen legislative processes in Nigeria in order to promote orderliness, transparency, accountability, and fairness in parliamentary practice.

To achieve these objectives, the study employed doctrinal research methods, analyzing constitutional provisions, statutes, and parliamentary rules. Comparative analysis was undertaken with procedural rules from other jurisdictions to identify best practices. Content analysis of secondary materials, including academic literature and legislative reports, was also carried out to assess how procedural reforms could be effectively adapted to the Nigerian Senate context. These methods enabled a comprehensive evaluation of both theoretical and practical aspects of legislative procedure.

The findings revealed that structured speaking time allocations and thematic debate sessions would promote more orderly and productive deliberations. The introduction of electronic and roll-call voting was found to foster transparency, accountability, and legitimacy in legislative decision-making. Reforms in committee composition and leadership through merit-based or secret ballot appointments were shown to reduce political interference and improve effectiveness. Furthermore, restructuring disciplinary measures to emphasize fairness, including

the creation of a multi-party Senate Disciplinary Committee and replacing suspension with financial penalties, was identified as essential for safeguarding legislative integrity while preserving democratic representation.

The study recommended amendments to the Standing Orders to incorporate digital timing systems for structured speaking allocations and the adoption of electronic and roll-call voting for critical legislative decisions. It further recommended that committee membership and leadership selection should be reformed through secret ballot elections to ensure impartiality. On disciplinary matters, it concluded that alternative sanctions such as fines should replace suspension to prevent denial of constituency representation. Overall, the study concluded that revising the Senate Standing Orders along these lines would significantly enhance parliamentary performance in Nigeria by improving order, transparency, accountability, and fairness.

Keywords: Parliamentary Procedure, Nigerian Senate, Standing Orders, Legislative Reform, Democracy

CHAPTER ONE

INTRODUCTION

1.0 Background of the Study

The intricate nature of human beings necessitates the existence of guiding principles or laws. This is so mostly because of our interaction within a communal society rather than living in complete isolation¹. While humans may desire freedom, the exercise of that freedom must be limited, as our actions or inactions inevitably impact others, either directly or indirectly². Societies are governed by rules that limit individual freedom, and these rules do not occur naturally. If freedom is exercised without guidance, society risks descending into a Hobbesian state of lawlessness, anarchy, and destruction. To avoid such a state for Nigeria, the legislature plays a crucial role in strengthening, protecting, and sustaining democracy in the country³.

The parliament otherwise referred to “the National Assembly in Nigeria” is a bicameral legislature established under section 4 of the Nigerian Constitution⁴. The section provides that “The legislative power of the Federal Republic of Nigeria shall be vested in the National Assembly for the federal which shall consist of a Senate and House of Representatives” (Constitution of the Federal Republic of Nigeria, 1999 *as amended*)⁵. The 1999 Constitution of the Federal Republic of Nigeria grants full authority to the National Assembly and State Houses of Assembly to enact laws for the peace, order, and good governance of the Federation on any matter⁶. Beyond being a

¹ Luzon, A. Local Legislators’ Awareness and Adoption of Parliamentary Procedures in the 5th District of Camarines Sur. *International Journal of Innovation, Creativity and Change*, www.ijicc.net, [2020] 14(5).

² Rousseau, J. The Basic Political Writing. (Trans. Donald A. Cress). Hackett Publishing Company [1762]

³ Fitzpatrick, D. Origins and Principles of Parliamentary Procedure. *PM Magazine, International City/County Management Association*, [2010] 92(2), 147-156.

⁴ Saliu, H. A., & Bakare, A. R. An Analysis of the Role of the National Assembly in Nigeria's Fourth Republic and its Possible Reform. *Studia Politica: Romanian Political Science Review*, [2020] 20(2).

⁵ Constitution of the Federal Republic of Nigeria, 1999 (*as amended*).

⁶ Ibid

key government institution, the parliament serves as a fundamental pillar of democratic governance, which has consistently proven to be the most effective form of government worldwide.

Parliamentary procedure, refers to the structured process for conducting meetings systematically. This procedure is an ever-changing democratic practice⁷. It is a structured system with its own principles, order of business, and motions that promote organization, facilitate decision-making, minimize time wastage, and maintain decorum⁸. Furthermore, Bach⁹ established that parliamentary procedure enhances efficiency by saving time, guiding policy, and reducing costs in addition to ensuring the quality of meetings. Firstly, its rules provide order, stability, and predictability in legislative processes. Secondly, these rules safeguard the rights of the opposition and political minorities, preventing potential abuses of power by the majority.¹⁰ Thirdly, the rules spells out the responsibilities of each members of the assembly and the organisational units they form within it, such as party groups and communities.

Parliamentary performance is a significant factor in the overall effectiveness of a country's legislative system¹¹. A well-functioning parliament ensures that laws are debated, scrutinized, and enacted efficiently, reflecting the will of the people and addressing national issues¹². However, the efficiency of parliamentary proceedings is often dependent upon the rules and procedures that

⁷ Wilson, D. Influences on parliamentary procedure in New Zealand 1935-2023(Doctoral dissertation, Open Access Te Herenga Waka-Victoria University of Wellington) [2024]

⁸ Fitsilis, F. Inter-parliamentary cooperation and its administrators. *Perspectives on Federalism*, [2018] 10(3), 28-55.

⁹ Bach, S. *Rules of Procedure for National Assemblies*. Crawford School of Economics and Government Australian National University.[2008]

¹⁰ *ibid*

¹¹ Kinyondo, A., & Pelizzo, R. Evaluating the Performance of Parliamentary Committees. *Otoritas: Jurnal Ilmu Pemerintahan*, [2022] 12(1), 1-15.

¹² Barrett, V. *Parliamentary administration: what does it mean to manage a parliament effectively?* (Doctoral dissertation, The Australian National University (Australia)). [2019]

govern legislative activities¹³. These rules, known as the rules of procedure or standing orders, are vital in shaping how legislative functions are carried out, influencing the quality of debate, decision-making, and law-making processes¹⁴. Without parliamentary procedure, legislative bodies would be unable to effectively fulfill their core functions of lawmaking, representation, and governance¹⁵. Erickson states, “How well legislature executes power depends upon the processes and procedures it follows¹⁶.” Regrettably, in these broad aspects, according to Tsekpo and Hudson¹⁷, “in many developing countries as well as in many developed countries, parliaments are weak, ineffective and marginalized.”

The Nigerian Senate, as the upper chamber of the National Assembly, plays a significant role in the legislative process¹⁸. It is responsible for enacting laws, budget approvals, and overseeing the executive branch to ensure accountability and good governance. However, the effectiveness of the Senate in performing these duties has been a subject of on-going debate¹⁹. Critics argue that procedural inefficiencies, out-dated rules, and bureaucratic bottlenecks have hindered the Senate's performance, leading to delays in legislative processes and a lack of responsiveness to urgent national issues²⁰. The Nigerian Senate Standing Orders, which are the

¹³ Okoro O. Resolutions of the National Assembly – Effect Thereof. Aro News Online, The Voice of AroOkeigbo. [2012]

¹⁴ Cox, G. W. Organization of Democratic Legislatures. *The Oxford handbook of political economy*, [2006] 4, 141-161.

¹⁵ Ibid-1

¹⁶ Erickson, B. Parliamentary Procedure: A Legislators' Guide. National Conference of State Legislatures. ,[2012] 24-39.

¹⁷ Tsekpo, A., & Hudson, A. Parliamentary Strengthening and the Paris Principles: Cambodia case study--Discussion papers.[2009]

¹⁸ Fashagba, J. Y., & Nwankwor, C. The National Assembly. *Nigerian Politics*, [2021] 99-124.

¹⁹ Onyekakie, G. K. *The Role of the Legislature in Modern Democracy: Effectiveness and Challenges of the 8th Senate in the Nigerian National Assembly, 2015–2019* (Doctoral dissertation, NILDS-Department of Studies). [2022]

²⁰ Nwabueze, B. O. The presidential constitution of Nigeria. [1982]

rules of procedure governing the conduct of legislative business, are central to this debate^{21 22}. These Standing Orders provide the framework for how the Senate operates, including the conduct of debates, the passage of bills, and the management of committees²³. However, over time, these rules have become out-dated and have failed to keep pace with the evolving demands of modern legislative practice^{24 25 26}. For instance, provisions within the Standing Orders may not adequately address issues such as the use of technology in legislative processes, the need for expedited procedures during emergencies, or the balance between minority and majority rights within the Senate²⁷.

Consequently, the need for revising the Standing Orders of the Nigerian Senate has become increasingly apparent in recent years²⁸. Various stakeholders, including legal scholars, civil society organizations, and lawmakers themselves have called for a comprehensive review of these rules to improve parliamentary performance²⁹. This is particularly important given the growing complexity of governance challenges in Nigeria, including economic crises, security concerns, and social unrest. A more efficient and responsive Senate, governed by updated and effective rules of procedure could play a key role in addressing these challenges and enhancing democratic

²¹ Ibid-5

²² Udefuna, P. N. The Nigerian Senate, 1999–2019. *Two Decades of Legislative Politics and Governance in Nigeria's National Assembly: Issues, Achievements, Challenges and Prospects*, [2021] 295-315.

²³ ibid

²⁴ Ibid 25

²⁵ Obi, E. A. *Legislative Process in Nigeria: Principles, Practice, and Procedure*. Enugu: CIDJAP Press. [2015]

²⁶ Bakare, A. R. Evaluating the Nigerian National Assembly's Lawmaking Output and the Implications for Legislative Effectiveness. *Two Decades of Legislative Politics and Governance in Nigeria's National Assembly: Issues, Achievements, Challenges and Prospects*, [2021] 121-159.

²⁷ Obidimma, A. E., & Obidimma, E. O. Restructuring the Nigerian federation for proper functioning of the Nigerian federalism. *Public Policy and Administration*, [2015] 5(9), 147-157

²⁸ Taiwo, E. A. Enforcement of fundamental rights and the standing rules under the Nigerian Constitution: A need for a more liberal provision. *African Human Rights Law Journal*, [2009] 9(2), 546-575.

²⁹ Yin, R. K. *Case study research: Design and methods* ([2009] Vol. 5; Pages: 1-21). sage.

governance in the country^{30 31}. Comparative studies have shown that legislative reforms aimed at improving parliamentary procedures can lead to significant improvements in legislative efficiency and accountability. For example, reforms in the British Parliament, which included the modernization of standing orders and the introduction of new procedural mechanisms, resulted in more streamlined legislative processes and improved scrutiny of government actions³². Similarly, in South Africa, reforms to the parliamentary rules were instrumental in enhancing the legislative body's ability to address complex policy issues and increasing the transparency of its proceedings³³.

Drawing on these examples, and by examining the current Standing Orders of the Senate, this study seeks to explore how revising the Nigerian Senate Standing Orders can improve parliamentary performance and contribute to the on-going discourse on legislative reform in Nigeria.

1.1 Statement of the Problem

The performance of legislative bodies, particularly in emerging democracies like Nigeria is significant to the overall governance and democratic process. The Nigerian Senate, as one of the key legislative arms, plays a pivotal role in law-making, oversight, and representation. The performance of the Senate of the Federal Republic of Nigeria has been plagued by inefficiencies, inconsistencies, and controversies which have undermined its effectiveness and efficiency in fulfilling its constitutional responsibilities. A significant factor contributing to these challenges is

³⁰ Olumide, O. *Parliamentary Reforms and Legislative Efficiency in Nigeria*. Lagos: Concept Publications. [2018]

³¹ Usonka, C. O. Parliamentary Resolutions and Good Governance in Nigeria: A Study of 7th Senate of the National Assembly. *African Journal of Politics and Administrative Studies*, [2019] 12, 1.

³² Russell, M. *The contemporary House of Lords: Westminster bicameralism revived*. OUP Oxford. [2013]

³³ Calland, R. *The Zuma years: South Africa's changing face of power*. Penguin Random House South Africa.[2013]

the procedural framework that governs the Senate's operations, known as the Senate Standing Orders.

The current Standing Orders, which outline the rules of procedure for legislative processes have been criticized for being out-dated, rigid, and sometimes ambiguous³⁴. These procedural deficiencies can lead to delays in legislative processes, reduce transparency, and hinder the Senate's ability to effectively scrutinize and debate crucial national issues. Furthermore, procedural bottlenecks often leads to inefficiencies in the legislative process, which in turn affects the quality of laws passed and the Senate's ability to hold the executive branch accountable. Despite several amendments to the Senate Standing Orders over the years, there remains a significant gap between the intended goals of these procedural rules and their actual impact on parliamentary performance. The lack of alignment between the Standing Orders and the evolving needs of Nigeria's legislative framework has raised questions about the need for comprehensive reform.

1.2 Aim and Purpose of the Study

The general purpose of this research is to conduct a comprehensive and critical examination of the role of the standing orders in the performance of the Nigerian Senate, with a view to identifying areas of improvement and proposing reforms to enhance the effectiveness, efficiency, transparency, and accountability of parliamentary proceedings. This study seeks to address this gap by examining how the current rules of procedure affect the performance of the Nigerian Senate and proposing revisions that could enhance its efficiency, transparency, and overall effectiveness.

³⁴ Agbaje, A., Nigeria: Prospects for the fourth Republic. *Democratic Reform in Africa: The Quality of Progress*. (Boulder, CO: Lynne Rienner 2004)

1.3 Research Objectives

The objectives of the study are:

- i. To examine the rules of procedure utilized by the Nigerian Senate in the discharge of its functions;
- ii. Examine the impact of the current Standing Orders on the Senate's ability to perform its functions;
- iii. Investigate international best practices in parliamentary procedure and identify potential reforms for the Nigerian Senate; and
- iv. Propose revisions to the Standing Orders to enhance transparency, accountability, and efficiency in parliamentary proceedings.

1.4 Research Questions

The following research questions are formulated to guide this study:

- i. How do the rules of procedure utilized by the Nigerian Senate impact the improvement of parliamentary performance?
- ii. What is the impact of the current Standing Orders on the Nigerian Senate's ability to perform its functions effectively?
- iii. How can international best practices in parliamentary procedure inform potential reforms for the Nigerian Senate?
- iv. What revisions to the Standing Orders can enhance transparency, accountability, and efficiency in the parliamentary proceedings of the Nigerian Senate?

1.5 Scope and limitation of the study

This study is focused on examining the impact of rules of procedure on the performance of the Nigerian Senate, specifically through the lens of the Senate Standing Orders. The scope of the

study encompasses a detailed analysis of the existing procedural framework governing Senate operations and its influence on legislative effectiveness, efficiency, and transparency. The study involves an evaluation of the current Senate Standing Orders, identifying procedural challenges, and proposing targeted revisions to enhance parliamentary performance. Additionally, the research will include a comparative analysis of procedural practices from other legislative bodies to inform recommendations for reform.

1.6 Significance of the study

The findings of this study will be of great significance in a number of ways. It will provide valuable insight into how procedural reforms in the Nigerian Senate can enhance legislative performance and governance. The study seeks to enhance the efficiency, transparency, and accountability of the Senate by assessing and recommending revisions to the Senate Standing Orders which could result in more effective law-making and improved management of parliamentary activities. The study will also contribute to existing knowledge by offering a detailed analysis of procedural issues and recommending practical solutions, thereby enriching the discourse on legislative reform.

The study's significance extends to potentially improving the functioning of the Nigerian Senate, which can in turn, positively impact the broader governance framework and public trust in democratic institutions. Furthermore, the study provides a critical shift from traditional approaches that often focus solely on legislative content to a more refined examination of procedural effectiveness. This approach highlights the importance of the rules of procedures in achieving legislative objectives and offers a practical framework for policymakers to address parliamentary inefficiencies.

1.7 Research Methodology

The study adopted a doctrinal research approach to evaluate the Senate's Standing Orders and its impact on parliamentary performance. Reliance was placed on both primary and secondary sources of data. It will involve a detailed analysis of procedural documents, legislative records, and relevant secondary sources such as academic papers, works of legal scholars, journals, and international reports. Published and unpublished materials sourced from the library and the Internet as it relates to this study will be consulted. A comparative analysis with other legislative bodies will provide additional insights. The findings will be used to propose targeted revisions to the Standing Orders, aimed at improving the Senate's efficiency, transparency, and overall effectiveness.

1.8 Synopsis of Chapters

This study on improving parliamentary performance through the rules of procedure: a case for the revision of the Standing Orders of the Senate of the Federal Republic of Nigeria is structured into five (5) chapters.

Chapter One is the general introduction sets the tone for the study by providing background information outlining the research problem, the general purpose/aim of the study, the research objectives, research questions, and significance of the study. This chapter also includes the research methodology. Additionally, it presents the scope and delimitations of the study.

Chapter Two features the conceptual clarification and literature review. It investigates the core functions of parliament, including representation, law-making, and oversight, and explores the various models of representation, such as the Trusteeship, Delegate, Mandate, and Resemblance models, providing a conceptual framework for understanding parliamentary performance. The chapter also offers an overview of parliamentary performance and the importance of rule of

procedures in enhancing legislative efficiency. Through a review of relevant literature, it highlights the critical role that rules of procedure play in improving the effectiveness and accountability of parliamentary operations.

Chapter Three provides a detailed analysis of the Nigerian Senate's Standing Rules, focusing on selected rules and their impact on parliamentary performance. It evaluates the strengths and weaknesses of these rules, highlighting areas that may hinder or enhance the Senate's effectiveness. The chapter also includes a cross-jurisdictional analysis, comparing the Nigerian Senate's procedures with those of other legislative bodies, such as Ghana, Kenya, the United Kingdom, and the United States. This comparative analysis provides insights into best practices and potential reforms that could be adapted for the Nigerian context.

In Chapter Four, the study presents proposed revisions to the Nigerian Senate's Standing Orders. These revisions are based on the findings from previous chapters and are aimed at addressing identified weaknesses in the current procedural framework. The chapter also provides a justification for each proposed change, linking them to the expected improvements in parliamentary performance. It also discusses the anticipated impact of these revisions on the Senate's ability to perform its core functions more effectively, with a focus on enhancing transparency, accountability, and efficiency.

The final chapter (Five) summarizes the key findings of the study, reflecting on the significance of the proposed revisions to the Senate's Standing Orders. It offers practical recommendations for implementing these changes and improving parliamentary performance in Nigeria. The chapter concludes with suggestions for future research, identifying areas that require further exploration to continue strengthening the legislative process in Nigeria and other similar jurisdictions.

CHAPTER TWO

CONCEPTUAL CLARIFICATION AND LITERATURE REVIEW

This chapter focuses on the review of related literatures of the main variables of the study. The chapter is structured under the following sub-headings: Conceptual Framework, review of previous studies and Theoretical framework.

2.0 Conceptual Framework

The following concepts were reviewed: Parliament, parliament of Nigeria, core function of the parliament, and Standing orders. Also examined in this section are the rules of procedure and its role in improving parliamentary performance.

2.1 Parliament

A parliament is a legislative body of government³⁵. A modern parliament generally serves three key functions: overseeing the government either through hearings and inquiries, enacting legislation, and representing the electorate.³⁶ The term parliament closely relates to concepts such as a senate, synod, or congress and is typically used in nations with a history of monarchy or those that still maintain one³⁷. In some contexts, the term parliament is specifically associated with parliamentary systems. However, it is also used to refer to legislatures in certain presidential systems, even when it is not part of their official name.³⁸ Historically, parliaments included

³⁵ Rush M, *Parliament Today* (Manchester University Press 2005).

³⁶ Jennings WI, *Parliament* (CUP Archive 1948).

³⁷ Rogers R and Walters R, *How Parliament Works* (6th edn, Routledge 2013).

³⁸ Gallagher M, 'Parliament' in Coakley J and Gallagher M (eds), *Politics in the Republic of Ireland* (Routledge 2012).

various kinds of consultative, deliberative, and judicial assemblies³⁹. What is considered to be the first modern parliament, was the Cortes of León, held in the Kingdom of León in 1188^{40 41}.

The English term is derived from Anglo-Norman and dates to the 14th century, coming from the 11th century Old French word *parliament* discussion, discourse, from *parler*, to talk⁴². Over time, the meaning of parliament evolved from a general reference to discussions, conversations, or negotiations within various deliberative or judicial groups, often convened by a monarch. By the 15th century in Britain, the term had become specifically associated with the legislature⁴³. Parliaments are integral to the governance structure of democratic states, acting as forums where elected representatives deliberate and decide on matters of public interest. Parliaments embody the will of the people through their representative function, which is central to democratic ideals⁴⁴. Representatives elected to parliament serve as intermediaries between the electorate and the state, ensuring that citizens' voices and interests are articulated in policymaking processes⁴⁵. Different models of representation, such as the trusteeship, delegate, and mandate models, illustrate the varying ways in which parliamentarians navigate their roles, balancing personal judgment, constituency preferences, and party directives^{46 47}.

In their legislative capacity, parliaments are charged with drafting, debating, and enacting laws that govern societal conduct. This function underscores their role in shaping the legal and

³⁹ Hume D, *Of the Independency of Parliament* (vol 1, Library of Alexandria 2020).

⁴⁰ Burger M, *The Shaping of Western Civilization: From Antiquity to the Enlightenment* (University of Toronto Press 2008).

⁴¹ Galera S, *Judicial Review: A Comparative Analysis Inside the European Legal System* (Council of Europe 2010).

⁴² Maddicott JR, *The Origins of the English Parliament, 924-1327* (Oxford University Press 2010).

⁴³ Post G, *Studies in Medieval Legal Thought: Public Law and the State 1100-1322* (Princeton University Press 2015)

⁴⁴ *ibid* [5]

⁴⁵ Norton P, *Parliaments in Western Europe* (1990)

⁴⁶ Blomgren M and Rozenberg O (eds), *Parliamentary Roles in Modern Legislatures* (Routledge 2015).

⁴⁷ Sudulich L, Trumm S and Bridgewater J, 'Parliamentary Representation: A Cross-National Study of Candidates' Views' (2020) 73(3) *Parliamentary Affairs* 522

institutional framework of a nation⁴⁸. Parliaments not only create laws but also revise and repeal them to adapt to changing societal needs. This dynamism highlights the Institution's role as a cornerstone of legal and political development⁴⁹. The oversight function of parliament ensures accountability within the broader governance system⁵⁰. Through mechanisms such as questioning sessions, committee investigations, and budget approvals, parliaments scrutinize the actions and decisions of the executive branch. This oversight is critical for maintaining checks and balances in a democratic state and for preventing the abuse of power⁵¹. Modern parliaments are also central to fostering transparency and accountability in government operations. Procedural rules and standing orders within parliaments govern the conduct of debates, decision-making processes, and the implementation of resolutions. These procedural frameworks are vital for maintaining order and efficiency within legislative proceedings while promoting inclusivity and fairness⁵².

2.2 Parliament of Nigeria

The Nigerian Parliament, known as the National Assembly, is the federal legislature of Nigeria. Established under the 1999 Constitution of the Federal Republic of Nigeria, it is a bicameral institution established under section 4 of the Nigerian Constitution. It is composed of two chambers- the Senate and the House of Representatives. The National Assembly serves as the legislative arm of the Nigerian government and is vested with powers to make laws, oversee the executive, and represent the interests of citizens⁵³. The Senate is the upper chamber of the National

⁴⁸ *ibid*

⁴⁹ Heywood A, *Politics* (Palgrave Macmillan 2013).

⁵⁰ Andeweg RB, 'Roles in Legislatures' in Martin S, Saalfeld T and Strom K (eds), *The Oxford Handbook of Legislative Studies* (Oxford University Press 2014) 267.

⁵¹ Beetham D, *Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice* (Inter-Parliamentary Union 2006).

⁵² Mota F, 'Parliamentary Political Representation' in Astrid B and Jesús L (eds), *Political Power in Spain: The Multiple Divides between MPs and Citizens* (Routledge 2018) 141.

⁵³ Constitution of the Federal Republic of Nigeria 1999 (as amended)

Assembly and consists of 109 members. Each of the 36 states in Nigeria is represented by three senators, while the Federal Capital Territory (FCT) is represented by one senator. The House of Representatives, as the lower chamber, is larger, with 360 members representing federal constituencies⁵⁴. This structure ensures representation across Nigeria's diverse geopolitical zones, promoting inclusivity in the legislative process. To be eligible for a seat in the lower house, a person must be at least 40 years old. Members serve their term until Parliament is dissolved, at which point they can pursue re-election. The title Member of Parliament (MP) is typically reserved for those who hold seats in the House⁵⁵. The National Assembly, like other branches of Nigeria's federal government, is situated in Abuja, the Federal Capital Territory. The Senate is headed by the President of the Nigerian Senate, a role first occupied by Nnamdi Azikiwe, who later relinquished the position to assume office as Nigeria's first head of state. Leadership of the House of Representatives falls to the Speaker. In a joint session of the Assembly, the Senate President presides, but if absent, the Speaker of the House assumes the role.⁵⁶

The Nigerian Parliament performs three core functions- law-making, representation, and oversight. In its legislative capacity, the National Assembly debates and enacts laws applicable at the federal level. Through these laws, the parliament shapes national policy and provides a legal framework for governance. The legislative process involves the introduction of bills, committee deliberations, and multiple readings in both chambers before presidential assent⁵⁷. In its representative role, the parliament acts as a voice for the Nigerian populace, articulating the interests, needs, and concerns of various constituencies. Members of the National Assembly engage with their constituents to

⁵⁴ Irukwa JO, *Nigeria at 100: What Next?* (African Books Collective 2014).

⁵⁵ Nigeria, *Constitution of the Federation of Nigeria* (Good Press, 11 April 2021).

⁵⁶ Odeyemi TI and Abioro T, 'Digital Technologies, Online Engagement and Parliament-Citizen Relations in Nigeria and South Africa' in Fagbadebo O and Ruffin F (eds), *Perspectives on the Legislature and the Prospects of Accountability in Nigeria and South Africa* (Springer 2019) 217.

⁵⁷ *ibid* [29]

ensure that legislative activities align with public interest. This representative function is crucial to fostering democratic accountability and citizen participation in governance. Oversight is another fundamental role of the Nigerian Parliament. Through mechanisms such as committee investigations, budget reviews, and questioning sessions, the National Assembly scrutinizes the activities of the executive branch. The oversight function is critical for maintaining transparency and ensuring that government actions adhere to the rule of law^{58 59}.

2.3 Core Functions of the Parliament

Parliament, as a cornerstone of democratic governance, fulfils several essential functions central to the operation of a functional state. These core functions- representation, law-making, and oversight, serve as the foundation for parliamentary activities and ensure that governments remain accountable, transparent, and aligned with the will of the people.

i. Representation

Representation lies at the heart of parliamentary work, ensuring that the diverse interests, needs, and concerns of the citizenry are reflected in legislative deliberations and decisions⁶⁰. Parliamentarians act as intermediaries between the public and the state, voicing the aspirations and grievances of their constituents. This function is explored through various theoretical models⁶¹.

⁵⁸ Janda SN and Masango RS, 'Oversight Function and Accountability as Cornerstones for Good Governance in the South African Local Government' (2024) 59(1) *Journal of Public Administration* 87.

⁵⁹ Madue SM, 'The Role of Oversight in Governance' (2013) 27(1) *Loyola Journal of Social Sciences*.

⁶⁰ Judge D and Leston-Bandeira C, 'The Institutional Representation of Parliament' (2018) 66(1) *Political Studies* 154.

⁶¹ Taylor M, 'Parliamentary Representation in Modern Britain: Past, Present, and Future' (2022) 65(4) *The Historical Journal* 1145.

ii. Trusteeship Model

The trustee model of representation is a framework within representative democracy, commonly distinguished from the delegate model of representation. The model was developed by political theorists like Edmund Burke in 1774⁶². In this approach, citizens choose representatives to serve as 'trustees' for their constituency. This grants them the independence to evaluate issues and make decisions based on their judgment, in their own knowledge, judgement and conscience even if it means going against the immediate desires of their constituents⁶³. A trustee is considered a servant to the people, ensuring the people's will is acted upon and exploring every aspect of a decision⁶⁴. A trustee is duty-bound to thoroughly understand the preferences of their constituents and make decisions that serve their best interests. Over time, the notion of a trustee has developed, taking on different interpretations across various regions⁶⁵. The prevailing interpretation of a trustee is that the representative relies on their own judgment when making decisions.

iii. Delegate Model

The delegate model of representation is a model of a representative democracy⁶⁶. In this model, constituents elect their representatives as delegates for their constituency. In this framework, constituents select representatives who serve strictly as delegates for their constituency. These delegates merely convey the desires of their constituents or state and do not possess independent decision-making power, except when participating in the voting process to elect the official

⁶² Burke E, 'Speech to the Electors of Bristol in I. Hampshire-Monk' in *The Political Philosophy of Edmund Burke* (1774) 108.

⁶³ Fox J and Shotts KW, 'Delegates or Trustees? A Theory of Political Accountability' (2009) 71(4) *The Journal of Politics* 1225.

⁶⁴ Leston-Bandeira C, 'Towards a Trustee Model? Parliamentary Representation in the Internet Era: The Portuguese Case' (2012) 65(2) *Parliamentary Affairs* 425.

⁶⁵ Rehfeld A, 'Beyond Trustees and Delegates' in *Political Representation* (Routledge 2016) 29.

⁶⁶ *ibid* [28]

representatives of the state⁶⁷. This model strictly limits representatives from acting on their own conscience, as they are bound by an imperative mandate. Essentially, the representative serves solely as the direct voice of their constituents, who are not physically present in the decision-making process.⁶⁸ The Mandate model emphasizes party loyalty, where representatives act primarily to fulfil the platform and promises of the political party under which they were elected⁶⁹. The defining characteristic of the delegate model is that representatives have minimal discretion in decision-making. They are required to vote strictly in line with the preferences of their constituents, essentially serving as a channel for local public opinion⁷⁰. Ideally, this model is considered the most authentic form of democracy, as it ensures that decisions directly mirror the sentiments of the local population.

iv. Resemblance Model

This model advocates for a legislature that mirrors the demographic composition of the society, including gender, ethnicity, and socioeconomic backgrounds, thus promoting inclusivity and equitable representation⁷¹. The model is almost similar to descriptive representation, they argue that to represent a group of people such as the working class or women to its full potential you must be part of that social group yourself⁷². Therefore, only people who have shared experiences and interests can fully identify with particular issues⁷³.

⁶⁷ Cammaerts B, 'Revalidating Participation: Power and Pre-Figurative Politics within Contemporary Left-Wing Movements' (2019).

⁶⁸ Held D, 'Democracy: From City-States to a Cosmopolitan Order?' (1992) 40 *Political Studies* 10.

⁶⁹ Kestler T, 'Democratic Dilemmas: On the Relationship Between Representation and Participation' (2011) 21(3) *ZPol Journal of Political Science* 391.

⁷⁰ Verstein A, 'Trustee or Delegate? Understanding Representation to Illuminate Shareholder Governance and Regulatory Change' (2012).

⁷¹ Hughes RI, 'Models and Representation' (1997) 64(S4) *Philosophy of Science* S325.

⁷² Blumson B, *Resemblance and Representation: An Essay in the Philosophy of Pictures* (Open Book Publishers 2014) 222

⁷³ Greenberg G, 'Beyond Resemblance' (2013) 122(2) *Philosophical Review* 215.

2.4 Law Making

Law-making is the central role of parliament. This role entails formulating new laws while also making changes to already existing laws and amending laws that governs a given state or nation⁷⁴. This function is needed for producing legal framework that nurtures economic development, promotes order in the society and also protect the right of citizens. The legislative process typically involves several stages, including the drafting of bills, debate, committee reviews, and eventual approval by parliament. Laws are crafted to address societal needs, regulate conduct, and respond to emerging challenges⁷⁵. In a democratic context, law-making is participatory, allowing public input and scrutiny to ensure that enacted laws reflect the collective will and benefit the broader society. Additionally, the legislative function also serves as a mechanism for implementing international agreements and adapting domestic laws to global standards, particularly in areas such as human rights, environmental protection, and trade⁷⁶.

2.5 Oversight

Oversight is the mechanism through which parliament holds the executive branch accountable for its actions and policies⁷⁷. This function ensures that governmental activities align with constitutional provisions, statutory mandates, and public expectations. Oversight is conducted through various means, including parliamentary debates, inquiries, and question sessions, as well as the establishment of committees tasked with scrutinizing specific government sectors or

⁷⁴ Coghill K and others, 'The Functions of Parliament: Reality Challenges Tradition' (2012) 27(2) *Australasian Parliamentary Review* 55.

⁷⁵ Bulmer WE, 'Parliament I: Functions, Powers and Composition' in *Westminster and the World* (Bristol University Press 2020) 135.

⁷⁶ Hanson AH, 'The Purpose of Parliament' in *Planning and the Politicians* (Routledge 2022) 11.

⁷⁷ Madue SM, 'The Role of Oversight in Governance' (2013) 27(1) *Loyola Journal of Social Sciences*.

programs⁷⁸. Effective oversight fosters transparency and curbs corruption, promoting good governance and public trust. It also enables parliament to evaluate the implementation of laws and policies, ensuring they achieve their intended objectives⁷⁹. For instance, in Nigeria, parliamentary committees play a crucial role in scrutinizing budgetary allocations, public expenditures, and the performance of government agencies^{80 81}.

These core functions are interdependent, with representation providing the democratic foundation for law-making and oversight⁸². Together, they define the role of parliament as a deliberative Assembly that embodies the principles of democracy, accountability, and good governance. In performing these roles, parliaments contribute to the stability and development of states, ensuring that governments remain responsive to the needs of the people while upholding the rule of law⁸³.

2.5 Standing Orders

Standing orders are critical procedural instruments that govern the internal functioning of legislative bodies, ensuring orderliness, transparency, and consistency in parliamentary activities⁸⁴. These rules dictate how legislative business is conducted, including the format and order of debates, voting processes, the establishment and management of committees, and the

⁷⁸ Zungula V, 'Strengthening Parliament as an Effective Oversight Body: The Role of Ethical Political Leadership' (2023).

⁷⁹ Agu JC, Nkwo FN, and Eneiga RU, 'Governance and Anti-Corruption Measures in Nigeria: Strategies for Enhancing Transparency, Accountability, and Public Trust' (2024) 8(1) *International Journal of Economics and Public Policy* 1.

⁸⁰ Oladele AON, Chukuemeka T, and Micah LC, 'Legislatures and the Budget Process in Nigeria' (2021) 7(6) *European Journal of Accounting, Finance, and Investment* 1.

⁸¹ Ehigiamusoe UK and Umar A, 'Legislative Oversights and Budget Performance in Nigeria: Issues and Policy Options' (2013) 1(5) *IOSR Journal of Economics and Finance* 1.

⁸² Arowolo GA, 'Oversight Functions of the Legislature: An Instrument for Nation Building' (2010) 1 *Nnamdi Azikiwe University Journal of International Law and Jurisprudence* 27

⁸³ Onwe SO, Ibeogu AS, and Nkwede JO, 'Imperatives of Legislative Oversight Function in Nigerian Democratic System' (2015) 5(4) *Research on Humanities and Social Sciences* 72.

⁸⁴ Parliament M, *Standing Orders* (2003).

introduction and deliberation of bills or motions⁸⁵. They provide a structured framework that facilitates the efficient operation of parliamentary proceedings and safeguards democratic principles. They are typically adopted at the start of a legislative session and can be amended or suspended under specific conditions⁸⁶. By doing so, they help to avoid confusion, ensure consistency, and maintain the integrity of the legislative process. Standing orders typically regulate matters such as the scheduling of sessions, the conduct of debates, the formation and functioning of committees, the voting process, and the submission of bills or motions⁸⁷.

In Nigeria, the Senate Standing Orders are the specific rules governing the activities of the Nigerian Senate.⁸⁸ These orders derive their authority from Section 60 of the 1999 Constitution of the Federal Republic of Nigeria (as altered), which grants each legislative house the power to regulate its own procedure⁸⁹. This constitutional provision highlights the importance of standing orders as instruments of autonomy and self-governance for legislative bodies, enabling the legislature to organize its affairs without undue interference from external entities. The Senate Standing Orders of Nigeria are a reflection of this constitutional mandate. These orders provide the procedural foundation for legislative debates, decision-making processes, and the conduct of oversight functions. However, over time, the Standing Orders of the Senate have faced criticism for being outdated, ambiguous, and in some cases, misused^{90 91}. Critics argue that certain provisions lack the flexibility needed to address modern legislative challenges, such as the need for inclusivity,

⁸⁵ Mikva AJ, Lane E, Gerhardt MJ, and Hemel DJ, *Legislative Process* (Aspen Publishing 2022)

⁸⁶ Cauchi T, 'LEGISLATIVE COUNCIL—Giving of Notices of Motions Under Standing Order 75' (2024)

⁸⁷ McKay WR and Jack M, *Erskine May on Parliamentary Practice: The Law, Privileges, Proceedings and Usage of Parliament* (Lexis Nexis 2011).

⁸⁸ *ibid* [19]

⁸⁹ *ibid* [19]

⁹⁰ Oko O, 'Seeking Justice in Transitional Societies: An Analysis of the Problems and Failures of the Judiciary in Nigeria' (2005) 31 *Brooklyn Journal of International Law* 9

⁹¹ Nwaubani OO, 'The Legislature and Democracy in Nigeria (1960–2003): History, Constitutional Role and Prospects' (2014) 4(15) *Positions*

transparency, and citizen engagement in parliamentary processes⁹². One of the significant challenges associated with the Standing Orders is its rigidity, which often hampers legislative efficiency. For instance, procedural bottlenecks such as cumbersome voting mechanisms or prolonged debates without resolution, can delay the passage of critical legislation⁹³. Furthermore, the orders have occasionally been used to suppress dissenting voices within the Senate, as seen in cases where senators are suspended indefinitely. Such practices undermine democratic principles, disenfranchise constituencies, and erode public confidence in the legislative process⁹⁴.

At the international level, standing orders have been recognized as important tools for enhancing parliamentary performance. Legislative bodies in advanced democracies such as the United Kingdom's House of Commons regularly review and update their standing orders to align with evolving governance needs⁹⁵. These updates often incorporate best practices, such as mechanisms for ensuring minority representation, promoting public participation, and leveraging technology to streamline parliamentary operations⁹⁶. Such practices demonstrate that dynamic and adaptive standing orders can significantly enhance legislative efficiency and accountability. The call for the reform of the Senate Standing Orders in Nigeria has gained momentum, driven by the recognition of their limitations and the need to modernize parliamentary procedures. Proposed reforms include the simplification of procedural rules, the inclusion of clear guidelines for conflict resolution, and

⁹² Franklin DL, 'Legislative Rules, Nonlegislative Rules, and the Perils of the Short Cut' (2010) 120 *Yale Law Journal* 276

⁹³ Kalu UC, 'Separation of Powers in Nigeria: An Anatomy of Power Convergences and Divergences' (2018) 9(1) *Nnamdi Azikiwe University Journal of International Law and Jurisprudence* 116

⁹⁴ Francis S and Fagbadebo O, *Power Relations Among Institutions in Nigeria's Presidential System: Issues and Contentions* (2016).

⁹⁵ Adegbami A, 'Two Decades of Legislative Activities in Nigeria's Fourth Republic: Issues, Challenges, and the Way Forward' in Fagbadebo O and Alabi MOA (eds), *The Legislature in Nigeria's Presidential Democracy of the Fourth Republic: Power, Process, and Development* (Springer International Publishing 2023) 255.

⁹⁶ *ibid* [3]

the adoption of digital tools to facilitate legislative processes⁹⁷. Additionally, incorporating provisions that promote transparency, such as mandatory publication of legislative proceedings and decisions, can strengthen public trust in the Senate's activities⁹⁸.

Moreover, reforming the Standing Orders to address ambiguities and inconsistencies is essential for nurturing a culture of accountability within the Senate. Clear procedural rules can reduce opportunities for manipulation and ensure that legislative debates and decisions are grounded in fairness and equity⁹⁹. For instance, revising rules governing the suspension of senators to include clear time limits and appeal mechanisms can prevent abuses of power and protect the rights of minority voices within the legislature¹⁰⁰. Standing orders also play a crucial role in enabling the legislature to effectively perform its oversight functions. By providing a structured framework for questioning and scrutinizing the actions of the executive branch, these rules ensure that the Senate can hold the government accountable^{101 102}. Strengthening the procedural provisions related to oversight, such as requiring timely responses to parliamentary inquiries and enabling in-depth investigations into executive actions can enhance the Senate's capacity to fulfill its constitutional mandate.

⁹⁷ Omotoso F and Oladeji O, 'Legislative Oversight in the Nigerian Fourth Republic' in *The Nigerian National Assembly* (2019) 57.

⁹⁸ Erskine M, *Parliamentary Practice: The Law, Privileges, Proceedings, and Usage of Parliament* (Lexis Nexis 2021).

⁹⁹ Fagbadebo O and Alabi MOA (eds), *The Legislature in Nigeria's Presidential Democracy of the Fourth Republic* (Springer International Publishing 2024).

¹⁰⁰ Bakare AR, *National Assembly and Legislative Effectiveness in Nigeria's Fourth Republic* (Springer Nature 2023).

¹⁰¹ Shepsle KA, 'The Rules of the Game: What Rules? Which Game' in *Proceedings of the Conference on the Legacy and Work of Douglass C. North, St. Louis* (November 2010)

¹⁰² Shepsle KA, 'The Rules of the Game' in Alston L, Eggertsson T, and North D (eds), *Institutions, Property Rights, and Economic Growth: The Legacy of Douglass North* (2014) 66

2.6 Rules of Procedure

Rules of procedure help define the character of a parliament by describing the rights and obligations of the elected parliamentarians, identifying the key organs of the institution, the manner in which business is to be conducted and ensuring some form of management of the house is in place¹⁰³. In essence, they are the codified guidelines that dictate the processes for debating, voting, and decision-making within legislative assemblies¹⁰⁴. These rules are essential for maintaining order, consistency, and predictability in parliamentary proceedings, ensuring that decisions are reached through transparent and accountable processes. Without such frameworks, the legislative process would risk descending into chaos, with debates and decisions subject to arbitrariness and inefficiency¹⁰⁵.

Certain procedural rules are concise, granting significant discretionary authority to the speaker or president, while others are highly detailed, offering specific solutions to nearly every potential issue that may arise¹⁰⁶. Yet in all parliaments, internal rules are seen as an essential ingredient in allowing the Parliament to play its part in the governance process. Rules of procedure are essential, not just in a technical sense but also to obtain the right balance between minority rights and the capacity to decide between the need for detailed scrutiny and the need for efficiency¹⁰⁷. They also help in terms of making visible to the public the democratic values that parliamentary democracy

¹⁰³ Milić DA, 'Parliamentary Rules of Procedure and Parliamentary Speech' (2023) 82(4) *Srpska Politička Misao* 257

¹⁰⁴ Alder J and Alder J, 'Parliamentary Procedure' in *Constitutional and Administrative Law* (1999) 207

¹⁰⁵ Muylle KJ, 'Improving the Effectiveness of Parliamentary Legislative Procedures' (2003) 24 *Statute Law Review* 169

¹⁰⁶ Szabó Z, 'Judicial Control of Parliamentary Procedure: Theoretical Framework Analyses' (2023) 9 *Constitutional Review* 1

¹⁰⁷ *ibid* [71]

represents¹⁰⁸. Thus, parliamentary rules of procedure must fit within the context of the constitution and suit the political culture concerned.

In the Nigerian legislature, rules of procedure derive their legitimacy from the 1999 Constitution of the Federal Republic of Nigeria (as amended). Section 60 of the Constitution explicitly empowers the National Assembly to regulate its own procedure¹⁰⁹. This provision highlights the autonomy of the legislature, allowing it to establish rules that align with its operational and institutional needs¹¹⁰. In practice, these rules are encapsulated in standing orders, which serve as the procedural guide for legislative activities in both the Senate and the House of Representatives. As foundational documents, standing orders define the legislative process, encompassing aspects such as the initiation and conclusion of debates, the voting process, and the roles and functions of parliamentary committees. In Nigeria, the procedural framework of the Senate, as captured in its standing orders, has often been described as rigid, outdated, and ambiguous. Critics argue that these shortcomings have contributed to delays and inefficiencies in legislative processes, undermining the ability of the Senate to function effectively in addressing national issues¹¹¹.

Essentially, legislative bodies in established democracies such as the United Kingdom, Canada, and Australia, periodically revise their standing orders to reflect the evolving needs of their societies. These revisions often incorporate technological advancements, adapt to changing political dynamics, and address inclusivity and transparency in parliamentary deliberations¹¹². For instance, the UK Parliament has leveraged digital tools to streamline committee hearings and

¹⁰⁸ Evans P, *Essays on the History of Parliamentary Procedure* (2017) 1–368

¹⁰⁹ *ibid* [19]

¹¹⁰ *ibid* [19]

¹¹¹ Akpunonu AC and Eze JA, ‘Practice of Democracy in Nigeria: Challenges and Prospects’ (2021) 3 *IJOCLLEP* 164.

¹¹² Lijphart A, ‘Democracies: Forms, Performance, and Constitutional Engineering’ (1994) 25(1) *European Journal of Political Research* 1.

public engagement, demonstrating the potential of modernized procedural frameworks to enhance legislative efficiency and citizen participation^{113 114 115}. For the Nigerian Senate, aligning its rules of procedure with international best practices represents a significant step toward strengthening its legislative performance. The rules of procedure also play a role in safeguarding democratic ideals within the legislative process.

2.6.1 Role of Rules of Procedure in Improving Parliamentary Performance.

The rules of procedure are fundamental in ensuring the efficiency, effectiveness, and accountability of parliamentary institutions¹¹⁶. These rules establish the framework with which parliamentary business is conducted, including debates, voting, law-making, and oversight functions. By defining the processes and responsibilities of members, rules of procedure contribute significantly to improving parliamentary performance^{117 118}. The rules of procedure enhance the efficiency of parliamentary proceedings by providing structured guidelines on how legislative business should be conducted. This structure ensures that debates and deliberations are orderly, focused, and productive, thereby minimizing disruptions and time wastage¹¹⁹. For example, procedural rules often set time limits for debates and stipulate the order of business, enabling the parliament to handle multiple issues systematically.

¹¹³ Kindra G and Stapenhurst F, *Empowering Parliaments with Strategic Communications* (World Bank Institute 2010) 1–44

¹¹⁴ Prior A, ‘Public Engagement in the Work of Parliament’ (2022).

¹¹⁵ Fitsilis F and others, *Guidelines for AI in Parliaments* (Westminster Foundation for Democracy 2024) 1–49.

¹¹⁶ Horne A and Torrance M, ‘Parliament as Scrutineer: Parliamentary Oversight of the Law-Making Process’ in *A Research Agenda for Administrative Law* (Edward Elgar Publishing 2023) 85

¹¹⁷ Holtzhausen M, *Parliament as a Legislative Authority in South Africa: The Constitutional Framework for Governance and Oversight* in Paul K (ed) 1

¹¹⁸ Pelizzo R and Stapenhurst F, *Parliamentary Oversight Tools: A Comparative Analysis* (Routledge 2013)

¹¹⁹ *ibid* [17]

Furthermore, procedural rules promote transparency and accountability in legislative processes. By requiring open debates, public disclosures, and recorded votes, the rules allow citizens to monitor their representatives' actions and decisions. This transparency fosters trust in the institution and enhances the legitimacy of parliamentary outcomes¹²⁰. Adherence to procedural rules is vital in addressing public concerns about corruption and inefficiencies in governance in the Nigerian Setting¹²¹. The rules also play a significant role in protecting minority rights within parliament. These rules ensure that opposition parties and minority groups can contribute to debates and decision-making processes by guaranteeing equal opportunities for participation¹²². This inclusivity strengthens democratic practices and prevents the domination of the majority¹²³. In addition, rules of procedure support the oversight function of parliaments by establishing mechanisms for questioning government actions, scrutinizing budgets, and investigating public complaints. These mechanisms empower legislators to hold the executive accountable and ensure that public resources are managed responsibly¹²⁴ ¹²⁵. For instance, procedural provisions for the establishment of oversight committees enhance the parliament's capacity to evaluate government programs and policies.

It is important to note that the effectiveness of rules of procedure depends on their relevance and adaptability. Outdated or overly rigid rules can hinder parliamentary performance by failing to address contemporary legislative challenges. For example, the Standing Orders of the Senate of

¹²⁰ O'Hara K, 'Transparency, Open Data and Trust in Government: Shaping the Infosphere' in *Proceedings of the 4th Annual ACM Web Science Conference* (2012) 223

¹²¹ Oduntan G, 'Prescriptive Strategies to Combat Corruption within the Administration of Justice Sector in Nigeria' (2017) 20(1) *Journal of Money Laundering Control* 35

¹²² Protsyk O, *The Representation of Minorities and Indigenous Peoples in Parliament* (Inter-Parliamentary Union 2010).

¹²³ Inter-Parliamentary Union (IPU), *E-Parliament and Innovative Practices in the 21st Century* (2021).

¹²⁴ Saliu HA and Bakare AR, 'An Analysis of the Role of the National Assembly in Nigeria's Fourth Republic and Its Possible Reform' (2020) 20(2) *Studia Politica: Romanian Political Science Review*.

¹²⁵ Ibid [66]

the Federal Republic of Nigeria have been criticized for procedural bottlenecks that delay legislative processes and reduce parliamentary efficiency^{126 127}. Reforming these rules to reflect international best practices can significantly enhance the effectiveness of parliamentary operations. Internationally, parliaments that have adopted flexible and adaptive procedural rules demonstrate improved performance. For example, procedural innovations such as e-parliament platforms and streamlined committee processes in countries like Canada and the United Kingdom have enabled legislators to respond swiftly to emerging issues while maintaining transparency and accountability¹²⁸.

2.7 Literature Review

There are gaps in the reviewed literatures that the current study seeks to fill. First, although studies conducted in different parts of the world provide important information on procedural reforms and their impact, there is a lack of comprehensive analysis specific to the Nigerian Senate's Standing Orders. Also, existing studies that are conducted in Nigeria often highlight procedural inefficiencies but do not provide an evaluation of how reforms to these standing orders could enhance parliamentary performance in law-making, oversight, and representation.

2.7.1 Review of Previous Studies on Improving Parliamentary Performance through the Rules of Procedure

¹²⁶ Ogbonnaya UM, Omoju OE, and Udefuna NP, 'The Challenges of Democratic Governance in Nigeria's Fourth Republic' (2012) 3(11) *Mediterranean Journal of Social Sciences* 685

¹²⁷ Akpunonu AC and Eze JA, 'Practice of Democracy in Nigeria: Challenges and Prospects' (2021) 3 *IJOCLLEP* 164

¹²⁸ Ibid [89]

Dauda examined the effectiveness of the Public Accounts Committee (PAC) of Nigeria's 7th Senate (2011–2015) in ensuring legislative effectiveness¹²⁹. The research aimed to evaluate the role of the PAC in addressing legislative oversight, particularly through its handling of Auditor-General's reports and audit queries. A mixed-method approach was utilized, combining quantitative data from questionnaires with qualitative analysis of sessional and annual reports. Findings indicated that while the PAC was effective in certain areas, such as conferences, workshops, and public hearings, bill sponsorship, meetings, non-submission of audited accounts, queries on special accounts and revenue generation and statutory remittances. However, it faced challenges like delayed responses from Ministries, Departments, and Agencies (MDAs), inadequate ICT facilities, and poor record-keeping. The study concluded that SPAC performed credibly well in some of their legislative functions, while on the other hand had some lapses. Recommendations included enhancing ICT infrastructure and implementing an annual action plan for performance tracking.

Dayal¹³⁰ examined the decline in parliamentary performance, focusing on the insufficiency of procedural reforms in addressing systemic issues. It examined disruptions, declining legislative quality, and weakened accountability mechanisms in the Indian Parliament, arguing that procedural changes alone cannot resolve the deeper structural problems affecting institutional well-being. The study utilized a qualitative approach, analyzing parliamentary records, legislative statistics, and scholarly literature. The study identified several indicators of parliamentary decline, including a reduction in the number of sitting days, decreased debate quality, and an increase in legislative bypassing (e.g., passing bills without committee scrutiny). Disruptions in parliamentary

¹²⁹ Dauda P, *Committee System and Legislative Effectiveness of the Nigeria National Assembly: A Study of the Public Accounts Committee of the 7th Senate (2011-2015)* (Doctoral thesis, NILDS-Department of Studies 2021)

¹³⁰ Dayal R, 'Parliament in Crisis: Insufficiency of Reforms in Parliamentary Rules for Institutional Well-Being' (2018) 4(1) *EPH-International Journal of Business & Management Science* 32.

sessions often stem from unresolved conflicts between the executive and the opposition, exacerbated by party-centric dynamics and an absence of intra-party democracy. Key recommendations include mandating more sitting days, providing opposition days (as in the UK and Canada), and amending rules to make obstruction costly for disruptors. Dayal argues that without addressing these systemic issues, procedural reforms alone will have limited impact.

Usonka investigated how parliamentary resolutions contributed to good governance in Nigeria during the 7th Senate (2011–2015)¹³¹. The research employed a qualitative approach with an ex-post facto design. Data were collected through an observational method, reviewing parliamentary records, motions, and resolutions from the 7th Senate. The study also utilized the Decision-Making Framework (Snyder's theory) and Rational Model Theory to analyze how parliamentary resolutions influence governance outcomes. The study concluded that while parliamentary resolutions are vital legislative tools with moral authority, their impact on governance in Nigeria was limited due to poor implementation. Resolutions were often non-binding and lacked the legal force to compel compliance by the executive or other entities. Additionally, gaps in follow-up mechanisms hindered the realization of governance objectives.

Adiputri examined the procedural reforms implemented in the Indonesian Parliament (DPR) following democratization¹³². It focused on the role of parliamentary rules in improving institutional responsiveness, transparency, and efficiency. The study utilized a qualitative approach, reviewing parliamentary debates, procedural documents, and secondary literature. The research highlighted case studies of specific reforms to evaluate their impact on legislative

¹³¹ Usonka CO, 'Parliamentary Resolutions and Good Governance in Nigeria: A Study of 7th Senate of the National Assembly' (2019) 12 *African Journal of Politics and Administrative Studies*

¹³² Adiputri RD, 'Parliamentary Reforms Through Parliamentary Procedure: A Lesson-Learnt from the Indonesian Parliament' in *12th Workshop of Parliamentary Scholars and Parliamentarians, Wroxton College, Oxfordshire, UK* (2015) 25

processes and democratic outcomes. The study revealed that procedural reforms increased inclusivity by integrating minority voices, streamlined legislative processes, and strengthened accountability mechanisms. However, challenges such as political polarization and procedural delays persisted, demonstrating the limits of reform in addressing systemic issues. In conclusion, the study highlights the necessity of aligning procedural reforms with broader institutional changes for sustained parliamentary improvement, providing lessons applicable to other emerging democracies.

Sieberer et al.¹³³ conducted a study on reforming the rules of the parliament game: measuring and explaining changes in parliamentary rules in Australia, Germany, and Switzerland, 1945-2010. The aim of the study was to examine how parliamentary rules have evolved in Austria, Germany, and Switzerland between 1945 and 2010, to analyze the frequency, content, and impact of these changes, the factors driving reforms, as well as how rule modifications influence legislative behavior and institutional functionality. The study adopted a systematic, comparative approach to map changes in parliamentary standing orders. The study used both qualitative and quantitative methods to measure rule changes, categorizing them based on their scope (e.g., procedural adjustments or structural reforms) and their effect on legislative efficiency. Finding of the study shows that parliamentary rules in the three countries have undergone frequent and significant changes since 1945, with notable variations in their scope and purpose. The drivers of these changes often included shifts in party systems, government-opposition dynamics, and institutional efforts to address inefficiencies. Germany exhibited a higher frequency of rule changes aimed at increasing efficiency, while Switzerland's changes reflected its consensus-based governance

¹³³ Sieberer U, Müller WC, and Heller MI, 'Reforming the Rules of the Parliamentary Game: Measuring and Explaining Changes in Parliamentary Rules in Austria, Germany, and Switzerland, 1945–2010' (2011) 34(5) *West European Politics* 948

model. Austria's reforms were often shaped by coalition dynamics and efforts to manage interparty competition. Procedural reforms were often linked to broader political transformations, including the need to adapt to increased legislative workload and societal demands for transparency. The study concluded that parliamentary rules are not static but are frequently adjusted to reflect political and institutional development.

Sanyaolu et al.¹³⁴ provided an in-depth examination of the formal lawmaking process in democratic contexts, with Nigeria as the primary case study. Using a historical and descriptive method, the study outlined the eleven procedural stages through which a bill progresses from presentation to presidential assent. The authors identified procedural redundancies, such as repeated committee reviews and overlapping consultations, which often prolong the passage of critical legislation. Furthermore, political interference in procedural stages particularly during the committee phase was found to reduce legislative efficiency. The study concluded that streamlining certain stages, adopting fixed timelines for each legislative phase, and enhancing the procedural capacity of committees would significantly improve the efficiency of the Nigerian Senate.

Sharma & Kautish¹³⁵ examined the impact of digitizing parliamentary procedures in the Federal Parliament of Nepal. It offers insights relevant to procedural reforms in Nigeria. The study used a mixed-methods approach, employing surveys, structured interviews, and statistical analyses such as Chi-Square and Friedman tests to measure the effect of technological integration on legislative performance. Results showed that digitization of parliamentary rules through automated record-keeping, real-time debate tracking, and electronic voting improved legislative efficiency,

¹³⁴ Sanyaolu P, Sanyaolu CO and Segun J, 'The Process of Law Making by the Legislature in a Democratic Setting' (2017) 1 Political Science and Democracy 1

¹³⁵ Sharma AK and Kautish S, 'Prospects and Challenges in Digitization: The Case Study of Federal Parliament of Nepal' (2021) arXiv preprint arXiv:2108.07726

transparency, and accuracy in proceedings. Importantly, the study found that procedural digitization reduced the incidence of errors in record management and accelerated legislative workflows. The authors concluded that similar reforms in Nigeria could modernize Senate operations, improve procedural compliance, and enhance public trust in legislative outcomes.

Agunyai & Ojakorotu¹³⁶ investigated the performance and dysfunctions of Nigeria's parliamentary committee system through the lens of structural-functionalism theory. The research utilized qualitative content analysis of committee mandates, sessional records, and performance audits across the 8th and 9th National Assemblies. Findings indicated that while committees are intended to enhance efficiency by dividing legislative labour, their potential is undermined by weak enforcement of rules, overlapping mandates, and politically motivated appointments that prioritise party loyalty over expertise. Corruption and poor attendance at committee sittings were found to reduce legislative quality and delay decision-making. Comparative analysis with Singapore's legislative committee system revealed that clear procedural mandates, strict enforcement of attendance, and performance-based evaluations contributed significantly to better outcomes. In Nigeria's case, ambiguity in Standing Orders, inadequate use of committee reports in plenary debates, and insufficient research support limited the committees' ability to hold the executive accountable or contribute meaningfully to legislative quality. The study recommended procedural reforms to clarify committee mandates, establish merit-based membership selection processes, and integrate regular performance reviews into the Standing Orders. It argued that reinforcing committees as rule-bound substructures of parliament would lead to a more functional, responsive, and effective legislature.

¹³⁶ Agunyai SC and Ojakorotu V, 'The Nigerian Legislative Committee System, Corruption, and Constituency Woes: Lessons Nigerians Can Learn from the Singaporean Legislative Committee System' (2021) 17(2) *Taiwan Journal of Democracy*

Okafor Ani et al.¹³⁷ conducted a comparative study of the law-making processes in Nigeria and the United Kingdom to assess how procedural clarity affects legislative performance. The research adopted a desk-based comparative content analysis, reviewing constitutional provisions, parliamentary Standing Orders, and documented legislative processes in both countries. The study found that while the UK Parliament operates under a well-defined, streamlined legislative process with mandatory committee scrutiny for most bills, Nigeria's process is often hampered by procedural ambiguities and heavy executive influence. Legislative delays, skipped procedural stages, and bypassing of committee reviews were identified as major weaknesses in Nigeria's National Assembly. The UK's practice of allocating fixed time for each stage of the legislative process and granting opposition days for agenda-setting was shown to improve debate quality and legislative inclusivity. The study recommended that Nigeria's Standing Orders be amended to establish a clear sequence of stages for bill passage, enforce mandatory committee scrutiny, and allocate structured time for debates to prevent rushed or politically manipulated legislation. It concluded that adopting procedural best practices from established parliamentary systems could significantly improve Nigeria's legislative effectiveness, transparency, and public trust.

Nwagwu¹³⁸ investigated the effectiveness of legislative oversight in promoting good governance within Nigeria's democratic framework, focusing on its role as a constitutional mechanism to check the excesses of the executive arm of government and its agencies. The study examined how legislative oversight functions as a tool to curb waste, corruption, and the concentration of political power, while also addressing criticisms regarding its relevance in a democratic system. Adopting

¹³⁷ Okafor Ani JO, Anene UJ, Onyilokwu GN and Balure AM, 'The Law-Making Process in Presidential and Parliamentary Systems' (2023)

¹³⁸ Nwagwu EJ, 'Legislative Oversight in Nigeria: A Watchdog or a Hunting Dog' (2014) 22 JL Pol'y & Globalization 16

a qualitative approach, the research reviewed legislative practices, constitutional provisions, and case examples to assess the operational integrity of oversight functions in Nigeria. The findings revealed that although legislative oversight is intended as a robust safeguard against executive misconduct, its practical implementation has often been compromised. In many cases, it has been misused for political intimidation, personal gain, or the extraction of resources from parastatals under legislative supervision. This misuse has weakened its intended role as a deterrent to abuse of power. The study emphasized that while the principle of oversight remains vital, its efficacy depends on ensuring constitutional and legal reinforcement that empowers the legislature to act impartially and decisively. Recommendations included strengthening the institutional and legal framework governing oversight to enhance accountability, reinforce checks and balances, and restore public confidence in parliamentary governance.

Ogbu¹³⁹ examined the role of Post-Legislative Scrutiny as a mechanism for improving parliamentary performance in Nigeria, focusing on the evaluation and reform of existing legislation to align with contemporary realities. The study addressed the persistent challenge of obsolete, moribund, and anachronistic laws that undermine the achievement of legislative objectives despite the constitutional powers of the National Assembly. Adopting a doctrinal research method complemented by a comparative approach, the research analyzed the concept of effective legislation, the criteria for its determination, and the legal-institutional framework necessary for implementing Post-Legislative Scrutiny. The findings revealed that Nigerian legislation cannot remain perpetually effective in the face of societal changes, even when drafted with professional rigor and adherence to global best practices in legislative drafting. The absence of an institutionalized mechanism to automatically trigger periodic evaluations was identified as a

¹³⁹ Ogbu DC, 'Post Legislative Scrutiny as a Mechanism for Effective Legislation' (2021) 10 IJDLR 1

major limitation. As a result, outdated laws persist, weakening governance outcomes and public trust. The study recommended the establishment of a dedicated committee in both Houses of the National Assembly to conduct regular, systematic reviews of subsisting legislation, thereby enhancing legislative responsiveness, transparency, and institutional accountability.

Ogoh¹⁴⁰ examined the state of Post-Legislative Scrutiny (PLS) in Nigeria through a case review of the Violence against Persons (Prohibition) Act, 2015(VAPPA). The study focuses on the gap between the enactment of laws and their effective implementation. The study addressed the prevailing challenge that Nigeria's legislative shortcomings lie less in the absence of laws and more in inadequate post-enactment review mechanisms. Adopting a doctrinal research method, the study explored the meaning, scope, and legal framework of PLS in Nigeria, identified obstacles to its application, and proposed measures for its improvement. Statutory instruments, including the 1999 Constitution (as amended), the VAPPA, and the Standing Orders of the House of Representatives, were critically analyzed alongside scholarly opinions to provide a comprehensive understanding of the concept. Findings revealed that there is no explicit constitutional provision for PLS, with the closest equivalent being Parliament's general oversight functions. Furthermore, PLS in Nigeria remains unstructured and poorly institutionalized, with significant conceptual gaps within legislative practice. The reporting provisions under Section 42 of the VAPPA were found to be vague, limiting accountability, while scholarly discourse has often confined PLS to primary legislation, neglecting delegated legislation. The study recommended constitutional amendments to explicitly empower Parliament to undertake PLS, the development of a structured framework through law reform, and the adoption of a 3–5-year review cycle post-enactment for both primary

¹⁴⁰ Ogoh PA, 'Post-Legislative Scrutiny in Nigeria: A Review of the Implementation of the Violence Against Persons (Prohibition) Act, 2015' (2023) Doctoral dissertation, NILDS—Department of Studies

and subsidiary legislation. The research concluded that institutionalizing a robust and well-labeled PLS system is essential for strengthening parliamentary oversight, enhancing governance outcomes, and ensuring legislative responsiveness in Nigeria.

Chukwunyere¹⁴¹ investigated the effectiveness of legislative oversight within Nigeria's National Assembly, focusing on the performance of the 8th Senate Committees on Power, Works, and Housing between 2015 and 2019. The study sought to understand the roots of public perceptions that the legislature is ineffective in its oversight role by tracing the historical evolution of legislative practice in Nigeria and critically examining the committee activities during the specified period. Drawing on qualitative data from interviews and extensive secondary sources, the research assessed how oversight performance influences governance outcomes and public accountability. The findings revealed that legislative oversight, while essential for ensuring good governance, was undermined during the period by constitutional ambiguities, budgetary delays, inconclusive high-profile investigations into corruption, breaches of public trust, and instances of legislators prioritizing personal or partisan interests over the national interest. The study also highlighted the critical role of cooperation between the legislature and the executive in achieving oversight objectives. Recommendations included amending relevant sections of the 1999 Constitution to strengthen oversight powers, fostering a political culture where legislators prioritize national development over party loyalty, and enhancing inter-branch cooperation to improve the implementation of oversight findings. The study concluded that without these reforms, the socio-economic benefits of effective legislative oversight would remain largely unrealized in Nigeria.

¹⁴¹ Chukwunyere EC, 'Legislative Oversight and Accountability: A Study of the 8th Senate Committees on Power, Works and Housing (2015–2019)' (2020) Doctoral dissertation, NILDS–Department of Studies

Okoeguale¹⁴² conducted a study on Entrenching Accountability in Delegated Legislation in Nigeria. The study offered a doctrinal review of legislative powers in the context of delegated lawmaking. It highlighted the porous and inadequate control mechanisms currently in the Standing Orders and constitutional provisions, underscoring executive dominance in rule-making. The study benchmarked Nigeria's weakness against procedural safeguards in the UK and India, advocating urgent amendments to sections 88, 89, 128, and 129 of the 1999 Constitution and the Standing Orders. It argued that institutionalizing clearer scrutiny protocols such as affirmative resolution procedures and periodic legislative reviews would strengthen institutional checks and improve legislative performance.

Abah & Obiajulu¹⁴³ explored the relevance of legislative oversight as an anti-corruption mechanism in Nigeria, assessing its role in curbing executive excesses, preventing waste in governance, and constraining the abuse of political power. Anchored on the theory of structural functionalism, the study examined how oversight mechanisms designed to uphold democratic accountability have fared in practice within Nigeria's political environment. Data were obtained from documentary sources and analyzed using descriptive content analysis, with a focus on understanding both the institutional intent and practical realities of oversight implementation. The findings revealed that while legislative oversight remains a constitutionally enshrined safeguard, its application in Nigeria has been severely compromised, often misused for political advantage or rendered ineffective through weak enforcement mechanisms. The study noted that public skepticism regarding its relevance stems from instances where oversight processes have been

¹⁴² Okoeguale H, 'Strengthening Legislative Controls over Delegated Legislation in Nigeria' (2019) 10(2) Nnamdi Azikiwe University Journal of International Law and Jurisprudence 35

¹⁴³ Abah NC and Obiajulu AO, 'Relevance of Legislative Oversight in the Fight against Corruption in Nigeria' (2017) 2(1) Socialscientia: Journal of Social Sciences and Humanities

manipulated or ignored in the fight against corruption. To restore its effectiveness, the authors proposed reforms that strengthen citizenship engagement, particularly through electoral reforms that enhance the power of the vote and hold public officials accountable via the credible threat of electoral rejection. The research concluded that revitalizing legislative oversight requires both institutional reforms and a citizenry empowered to demand accountability, thereby reinforcing democratic governance and curbing systemic corruption in Nigeria.

Stapenhurst et al.¹⁴⁴ conducted a comprehensive empirical review of oversight within Nigeria's National Assembly, drawing on a combination of document analysis and 45 in-depth interviews with legislators, parliamentary staff, civil society actors, and journalists. Their findings revealed that, while the Assembly possesses the constitutional tools such as committee systems, audit mechanisms, and summons procedures to perform oversight functions, the principal limitation lies not in the procedures but in legislative will. Political alignment with the executive, careerist inclinations, and lack of enforcement accountability dilute the effectiveness of procedural mechanisms. The study concluded that procedural reform alone is insufficient without parallel investments in political autonomy and institutional culture. Clearer Standing Orders that mandate enforceable penalties for non-compliance, institutional support for independent oversight, and reform of legislative sentencing norms were recommended to revitalize parliamentary accountability.

Aliyu et al.¹⁴⁵ analyzed the constitutional mandate of Nigeria's National Assembly to conduct legislative oversight and its implications for promoting good governance. The study examined

¹⁴⁴ Stapenhurst R, Jacobs K and Olaore O, 'Legislative Oversight in Nigeria: An Empirical Review and Assessment' (2016) 22(1) *The Journal of Legislative Studies* 1

¹⁴⁵ Aliyu MK, Amoge IH and Ayodele BM, 'Analysis of the Challenges of Legislative Oversight on Good Governance in Nigeria' (2018) 8(8) *Developing Country Studies* 148

both the legal framework underpinning oversight and the practical challenges that have hindered its transparency, accountability, and effectiveness. Relying on secondary data from constitutional provisions, legislative records, scholarly works, and media reports, the researchers applied content analysis to assess the functionality and limitations of oversight in Nigeria's democratic system. Findings indicated that while the 1999 Constitution clearly empowers the National Assembly to carry out robust oversight functions, its implementation has often fallen short of expectations. The process has been repeatedly undermined by corruption, partisan politics, self-serving conduct by legislators, mistrust between government branches, and frequent power struggles with the executive. These systemic weaknesses have contributed to an oversight process that is more symbolic than substantive, failing to meaningfully enhance transparency or strengthen governance outcomes. The authors concluded that for legislative oversight to fulfill its constitutional promise, institutional reforms are needed to address these entrenched challenges, coupled with measures that reinforce accountability, promote inter-branch cooperation, and insulate oversight from partisan manipulation.

Igbakpa & Ejumudo¹⁴⁶ examined the impact of corruption on the legislative oversight responsibilities of Nigeria's House of Representatives during the Fourth Republic, assessing how integrity deficits affect institutional performance. Anchored on the structural functionalism framework developed by Easton and Almond, the study employed a descriptive survey design to test the relationship between corruption and oversight effectiveness. From a population of 2,730, a purposive sample of 546 respondents was selected, with data collected through a four-point Likert-scale questionnaire. Descriptive statistics (mean and standard deviation) were used to

¹⁴⁶ Igbakpa BR and Ejumudo KBO, 'Corruption and the Effectiveness of the Legislative Oversight Responsibilities of the House of Representatives in Nigeria's Fourth Republic' (2023) BW Academic Journal 11

summarize the data, while Pearson Product Moment Correlation was applied to test the study's hypothesis. The findings revealed that pervasive corruption significantly undermines the effectiveness of legislative oversight in the House of Representatives. The culture of corruption within the institution not only weakens accountability mechanisms but also compromises the legislature's capacity to serve as a check on executive power. The study recommended eliminating operational excesses associated with oversight functions, reorienting both individual and institutional attitudes, and providing targeted training on effective oversight procedures. Additionally, it emphasized the value of mentorship from experienced legislators as a strategy to cultivate professional conduct and enhance institutional credibility. The authors concluded that curbing corruption is essential for restoring public trust and enabling the House of Representatives to fully discharge its constitutional oversight responsibilities.

Ejumudo & Ikenga¹⁴⁷ investigated the challenges of legislative oversight in Nigeria using the Delta State House of Assembly as a case study, with the aim of identifying the institutional and political factors undermining effective legislative performance. Guided by four research questions and corresponding null hypotheses, the study adopted a descriptive survey design. From a population of 600 Assembly staff, a sample of 245 respondents was drawn from nine departments using stratified and simple random sampling techniques. Data were collected through a legislative oversight questionnaire, with results analyzed using mean ratings and chi-square tests. The findings revealed that legislative oversight in Delta State is significantly constrained by the politics of trade-off and pay-off between legislators and the executive, coupled with poor commitment to oversight responsibilities. The study also found a strong link between the culture of corruption,

¹⁴⁷ Ejumudo KBO and Ikenga FA, 'The Problematic of Legislative Oversight in Nigeria: A Study of Delta State' (2021) 3(2) The Indonesian Journal of International Clinical Legal Education 125

perceived legislative subservience to the executive, and the diminished capacity of the legislature to exercise its constitutional mandate. Recommendations included ensuring the true independence of the legislature, eliminating transactional politics between the legislative and executive branches, and fostering a governance culture free from corruption. The authors concluded that strengthening legislative autonomy is critical to restoring public confidence and ensuring oversight mechanisms contribute meaningfully to democratic governance.

2.8 Theoretical Framework

The theories relevant and applicable to this study are the institutional theory, legislative behaviour theory and democratic governance theory.

2.8.1 Institutional Theory

The Institutional theory was initially introduced by Philip Selznick in 1948¹⁴⁸ and later expanded upon by Paul DiMaggio and Walter Powell in the 1980s¹⁴⁹. The theory provides a strong framework for analyzing how structures, norms, and rules influence organizational behaviour and outcomes. Selznick's foundational work emphasized the idea that institutions are not static entities but are shaped by their historical development and the pressures exerted by their external environment. Over time, institutions evolve into complex systems of formal rules and informal practices that reflect their adaptation to societal expectations and demands.

DiMaggio and Powell built on this framework by introducing the concept of institutional isomorphism, which describes how organizations in similar environments tend to converge in their structures and practices. This convergence occurs due to coercive pressures, such as regulatory

¹⁴⁸ Selznick P, 'Foundations of the Theory of Organization' (1948) 13(1) *American Sociological Review* 25.

¹⁴⁹ DiMaggio PJ and Powell WW, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields' (1983) *American Sociological Review*

mandates; mimetic processes, where organizations emulate successful counterparts; and normative influences, which stem from professional standards and shared values. The theory highlights the dual role of institutions as both enablers and constraints on organizational performance. Institutions provide stability and predictability, fostering order and efficiency in operations. However, they can also inhibit innovation and adaptability, as entrenched routines and norms often resist reform. This duality is particularly relevant in legislative bodies, where the procedural frameworks intended to facilitate governance can also act as barriers to effective functioning if they become outdated or misaligned with contemporary needs.

The theory offers a lens through which the Nigerian Senate and its Standing Orders can be examined. The theory helps to elucidate how the deficiencies (rigidity, ambiguity and inability to keep pace with the increasing demands of modern legislative practices) have persisted, highlighting the role of institutional inertia and the broader socio-political context in shaping the Senate's procedural framework. The theory also sheds light on the challenges of reforming the Standing Orders. Institutional inertia, driven by the vested interests of stakeholders and the Senate's attachment to established norms, poses significant obstacles to procedural change. Yet, institutional theory also emphasizes the potential for transformation through alignment with external pressures and best practices. By examining how other legislative bodies have adapted their rules to enhance performance, this study leverages the information of institutional theory to propose reforms that align the Nigerian Senate's procedural framework with contemporary democratic ideals.

2.8.2 Legislative Behaviour Theory

The theory was propounded by Donald R. Matthews in the mid-20th century. It provides a framework for understanding the actions, attitudes, and decision-making processes of legislators within institutional and political contexts. This theory emphasizes the individual and collective behaviour of lawmakers, focusing on the interplay between personal motivations, institutional rules, and external influences. Matthews argued in his work that legislative behaviour is shaped by a combination of individual characteristics (such as values, ambitions, and expertise) and systemic factors (such as party affiliations, constituency demands, and institutional norms). According to the theory, legislators act strategically to balance competing priorities, including representing their constituents, advancing personal and political careers, and aligning with broader institutional or party goals¹⁵⁰.

An important aspect of this theory is its recognition of the diversity of legislative behaviour. Legislators may adopt different roles, such as being trustees, delegates, or politicians, depending on the context of their decisions and the nature of the issues at hand. Furthermore, the theory posits that institutional rules and procedures significantly influence legislative actions by providing the framework within which decisions are made, debates occur, and coalitions are formed. Legislative Behaviour Theory is particularly relevant to studies examining parliamentary performance and the rules governing legislative bodies. It highlights how procedural frameworks interact with individual legislator behaviour to impact overall institutional effectiveness. This theory helps researchers to examine the dynamic relationships between rules, individual actions, and

¹⁵⁰ Bäck H and Debus M, 'Legislatures and Legislative Behaviour' in *Handbook of Comparative Political Institutions* (Edward Elgar Publishing 2024) 248

institutional outcomes, thereby identifying areas that calls for reformation and enhanced parliamentary performance.

2.8.3 Democratic Governance Theory

Democratic Governance Theory, as articulated by Robert A. Dahl in the 20th century,¹⁵¹ is focused on the principles and practices that ensure effective, inclusive, and participatory governance within democratic systems. Dahl's work underscores the essential features of democracy, such as political equality, effective participation, enlightened understanding, control of the agenda, and inclusion, as foundational to achieving governance that reflects the will and welfare of the people. At its core, the theory posits that democracy thrives when institutions and processes are designed to maximize participation and accountability. Dahl emphasized that governance systems must create opportunities for citizens to influence decision-making directly or indirectly through elected representatives. Furthermore, the theory highlights the importance of institutional structures, such as legislatures, judiciary bodies, and electoral mechanisms, in safeguarding democratic values and ensuring checks and balances within government.

The theory also examines the dynamic interplay between institutional rules and citizen engagement. This adaptability includes procedural frameworks, like parliamentary standing orders, which should foster efficiency, inclusivity, and responsiveness in legislative processes. Democratic Governance Theory offers a lens through which the role of procedural rules can be examined. It suggests that institutional rules should enhance transparency, accountability, and representativeness to align legislative actions with the broader democratic ideals. Applying this

¹⁵¹ Dahl RA, *Polyarchy: Participation and Opposition* (Yale University Press 2008)

theory to the Nigerian Senate pinpoints the need for procedural reforms that address existing inefficiencies, promote inclusivity, and reinforce democratic norms in legislative practices.

2.9 Summary of Chapter

The literature for this study was reviewed under conceptual, theoretical and empirical framework. This set the foundation for understanding the role of procedural rules in improving parliamentary performance. The chapter opened with a conceptual clarification of the concept of parliament, parliament of Nigeria, core functions of parliament: representation, law-making, and oversight. Concepts like standing orders, rules of procedure, and the role of rules of procedure in improving parliamentary performance were also examined. Different empirical studies that are related to this study were also reviewed. The theoretical framework covered Institutional Theory, Legislative Behavior Theory, and Democratic Governance Theory.

CHAPTER THREE

STANDINGS RULES OF THE SENATE

This chapter examines the Standing Rules of the Senate 2023 (as amended), analyses selected rules within the legislative process. The chapter also highlights the strengths and weaknesses inherent in the current procedural framework.

3.0 Analysis of selected Rules of the Standing Rules

The Senate Standing Orders (as amended) are the procedural regulations that govern how the Senate operates¹⁵². These rules are very important in easing the legislative process, making sure that the activities of the parliament happen in an organized and structured manner. The Orders guide the legislative process and are very important for ensuring order, fairness, and transparency in the Senate's activities. This section of the research provides a detailed analysis of some of the most important rules which include debate regulation, voting procedures, committee operations, and suspension of Senate members¹⁵³. Each of these rules plays an important role in determining the effectiveness of the legislative process.

3.1 Debate Regulation

Debates are the very foundation of parliamentary practice. As such, regulating them are an important component of parliamentary procedure that determines how debates are conducted in the Senate. According to the Standing Orders¹⁵⁴, debate is usually limited by time, and the presiding officer, often the Senate President, regulates the conduct of debates. The Senate's

¹⁵² Nigerian Senate Standing Orders 2023 (as amended).

¹⁵³ Ibid

¹⁵⁴

Standing Orders set clear guidelines regarding the order of speakers and the maximum duration of speeches. A key feature of the debate regulation is the motion system, which allows Senators to introduce discussions on various issues. Motions are usually debated by the Senate before being put to a vote. These are detailed in the Standing Orders, which provide the procedural framework for discussions.

Order 53 guides the order of speaking during debates¹⁵⁵. The Presiding Officer (Senate President or Deputy President) has the responsibility to ensure that debates are conducted in an organized and orderly fashion. According to this Order, Senators wishing to contribute to a debate must first seek the floor from the Presiding Officer by raising their hands or following the procedure prescribed by the Presiding Officer. The Presiding Officer then calls upon Senators in the order in which they have requested to speak, maintaining fairness and preventing any single individual from monopolizing the discussion¹⁵⁶. When two or more Senators rise at the same time, the Presiding Officer calls on the Senator that first catches his/her eye¹⁵⁷. This provision holds the potential for bias on the part of the Presiding Officer if by any chance such a Presiding Officer holds any personal grievance against a Senator who wishes to make contributions to the matters being debated. A Presiding Officer who is determined not to let a Senator speak on an issue can persistently ignore such a senator while feigning ignorance of the attempts of the willing Senator to “catch his/her eye” on the floor of the Senate.

In another rule of debate, no Senator is permitted to speak more than once to the same question without leave of the Senate, unless he be the mover, proposer, or introducer of the matter pending,

¹⁵⁵ Nigerian Senate Standing Orders 2023 (as amended), Order 53 (Order of Speaking)

¹⁵⁶ Ibid

¹⁵⁷ The national assembly of Nigeria, SENATE OF THE FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS. <https://nass.gov.ng/documents/download/11039> (2021)

in which case he is permitted to speak in reply, but not until those chosen to speak have spoken. The Senator reporting the measure under consideration from a Committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day, he is entitled to forty minutes to close, notwithstanding he may have used thirty minutes in opening. This order allows for a structured approach to speaking, ensuring that all Senators have an equal opportunity to voice their opinions during debates.

The Presiding Officers have an important role to play in ensuring that speakers do not deviate from the topic, thus preserving the focus of the debate¹⁵⁸. The Presiding Officer can call Senators to order if they engage in inappropriate or disruptive conduct during their speech. Additionally, the Presiding Officer has the discretion to limit the number of speakers on a particular subject if time constraints necessitate such a move.

Order 55 provides the time limits for speeches during debates¹⁵⁹. This Order is designed to ensure efficiency and fairness in the legislative process. According to this order, Senators are allotted specific time to deliver their speeches, ensuring that no one individual dominates the debate. The time allocated for each Senator's speech is generally determined by the Presiding Officer and can vary depending on the importance or complexity of the issue at hand. A major possible flaw of this rule is presented in the following question. What parameters are used to determine "importance" and "complexity"? What is important to the speaker leading the debate may not be important to the Presiding Officer, and in that case, a matter that may be of utmost importance to a Senator and his/her constituents may be swept under the carpet under the guise of not being "important."

¹⁵⁸ *ibid*

¹⁵⁹ Nigerian Senate Standing Orders 2023 (as amended), Order 55 (Time Limits for Speeches)

The Senate President gives senators the opportunity to speak in favour of or against any motion during the debates on it. However, a Senator may discuss the general principles of a bill or measures that highlight its strengths and weaknesses, including statutory and constitutional issues, during the bill's second reading. Half the time will be devoted to debates in support of the Majority Party, while the other half will be devoted to debates against the proposition. No senator may speak for longer than forty minutes on any topic. This regulation is intended to prevent long-winded speeches and ensure that the Senate's business progresses without unnecessary delays. If a Senator exceeds the allocated time, the Presiding Officer has the authority to call the Senator to order and ask them to conclude their remarks¹⁶⁰.

Order 56 addresses the conduct of debate. This Order outlines the expected behavior of Senators during discussions. This order emphasizes that debates should be respectful, relevant, and constructive. Senators are required to adhere to certain standards of decorum, avoiding personal attacks, inflammatory language, or disrespectful behavior. This is essential for maintaining a civil and professional atmosphere in the Senate, where debates are meant to be focused on the merits of issues rather than on personal or partisan disputes. Under this order, Senators are expected to address their remarks through the Presiding Officer, rather than directly at one another, to maintain a sense of order and respect. The Presiding Officer is authorized to call any Senator to order if their speech deviates from the subject matter or if they engage in behavior that disrupts the debate. Also, no Senator is permitted to speak out loud or make noise or disturb a senator who is speaking. According to this order, a Senator is not allowed to interrupt another Senator when speaking, except to call attention to: a point of order, want of a quorum, the presence of a stranger, move a

¹⁶⁰ Ibid

closure motion and move to the business of the day¹⁶¹. This ensures that debates remain on track, with all contributions being relevant to the issues being discussed. If a Senator engages in unacceptable behavior, such as shouting, using offensive language, or making unsubstantiated allegations, the Presiding Officer can demand that the Senator retract their remarks or leave the chamber if necessary. The aim of this order is to maintain the integrity of the Senate's proceedings and prevent disruptions that could undermine the seriousness of legislative discussions.

Order 54 specifically addresses points of order and interruption during debates¹⁶². A point of order is a formal objection raised by a Senator concerning the proceedings, typically about a breach of the Standing Orders or improper conduct during the debate. When a Senator raises a point of order, they are signaling that they believe a rule has been violated, and they are seeking the Presiding Officer's ruling on the matter. Points of order can relate to procedural issues, such as whether the debate is proceeding according to the rules, or to the relevance of a speech to the topic being discussed. The Presiding Officer is responsible for ruling on points of order. If the point of order is upheld, the Presiding Officer may instruct that the proceedings be corrected or that a Senator be called to order. This ensures that the debate remains within the boundaries set by the Senate's rules and that all members follow the same procedural guidelines. The Standing Orders also allow for interruptions during a debate, but these are strictly regulated. Senators may raise points of order during another Senator's speech if they believe that something requires immediate attention or if they think a rule is being breached¹⁶³. The regulation of points of order and interruptions helps to preserve the orderliness of debates and prevents any one Senator from continuously disrupting proceedings for personal or political gain.

¹⁶¹ Ibid

¹⁶² Nigerian Senate Standing Orders 2023 (as amended), Order 54 (Points of Order and Interruptions)

¹⁶³ Ibid

3.2 Voting Proced

The voting procedures in the Nigerian Senate are a vital aspect of legislative decision-making, enshrined in the Senate Standing Orders to ensure transparency, accountability, and fairness. Voting is the mechanism through which Senators formally express their positions on motions, bills, amendments, or other legislative matters. These procedures are meticulously structured to reflect the principles of democracy and to validate the Senate's deliberations with definitive outcomes. Orders 71 – 75 of the Standing Orders 2023(as amended) exhaustively discusses the framework for voting¹⁶⁴.

Voting in the Senate typically occurs after extensive debate and deliberation on a motion or bill. The process begins with the Presiding Officer summarizing the matter at hand and putting the question to a vote. This is done to ensure that all Senators are clear on what they are voting for or against. The Standing Orders outline several methods of voting, including voice votes, division votes, and electronic voting, each employed depending on the nature of the decision and the circumstances of the session¹⁶⁵.

The voice vote is the most commonly used method, especially for routine or non-controversial matters. In a voice vote, the Presiding Officer asks those in favor to say "Aye" and those against to say "Nay." The outcome is determined by the volume of responses, with the Presiding Officer making a judgment call on which side prevails. The result is declared by the president or the chairman stating "I think the Ayes have it" or "I think that the Nay have it" as the case may be. Division voting is used for resolving disputes over voice votes, to eliminate ambiguity and ensure a transparent outcome. In modern legislative practice, electronic voting has become an integral

¹⁶⁴ Ibid [1]

¹⁶⁵ Nigerian Senate Standing Orders 2023(as amended), Order 73 (Voting Methods)

part of the Senate's voting procedures, especially for significant or contentious matters. This method leverages technology to record each Senator's vote electronically, providing a quick and accurate tally¹⁶⁶.

A unique feature of the voting procedures in the Nigerian Senate is the opportunity for reconsideration. If new information emerges or significant doubts are raised about a previously decided matter, the Senate may revisit the decision. In such cases, the Standing Orders allow for a motion to reconsider, which, if approved, leads to a fresh vote on the matter. Order 73 of the Nigerian Senate Standing Order states that any Senator can challenge the opinion of either the President or the Chairman by claiming a division¹⁶⁷. And if their opinion is challenged, the President or Chairman directs that the lobbies be cleared and on such direction, all doors leading to the chamber are closed and the division bell is rang for one minute. After two minutes, the Senate President or the Chairman puts the question for the second time and if the opinion is still challenged, a division is taken by the Clerk calling each Senator by their names and requesting how they desire to vote and recording the vote accordingly. Thereafter, the Clerk reads out the names and announces the number of those who have voted for and against the proposal and the results is declared by the Senate President or the Chairman. Every Senator present records their votes either for the Ayes or the Nays except for those who expressly decline to vote. In instances where the vote results in a tie, the President is empowered to cast a deciding vote, a prerogative that highlight the impartiality and responsibility of their position.

3.3 Committee Operations

¹⁶⁶ Ibid

¹⁶⁷ Nigerian Senate Standing Orders 2023(as amended), Order 73 (Challenging Voice Votes)

The operation of committees within the Nigerian Senate is a cornerstone of its legislative process, enabling the institution to manage its extensive workload effectively. Orders 96 – 127 of the Senate Standing Orders 2023 (as amended) exhaustively discusses the framework for the establishment, composition and function of Senate committees. Committees are needed for conducting detailed investigations, scrutinizing legislative proposals, and overseeing government policies and programs¹⁶⁸. The Orders provide a well-structured framework for the establishment, powers, reports, quorum, public hearings, and functioning of committees. This is carefully done to ensure the efficient workings of committees, contributing significantly to the legislative process. As stated by the Order, members of each committee are not to be more than 13 and not less than 9, and no Senator is permitted to serve in more than 3 committees¹⁶⁹. The committee according to the Standing orders is to be created within the first fourteen legislative days after the first setting of the Senate¹⁷⁰.

The committee is generally grouped into standing committees and ad hoc committees. The former is permanent and deals with specific areas like Defence and army, banking, insurance and other financial institutions, industries, employment, health, primary healthcare, labour and productivity drugs, narcotics and financial crimes, agriculture and rural development, anti-corruption, air force, foreign affairs, communication, education, national identity card, national population and independent national electoral commission etc. while the latter is temporary and formed to address certain emergencies or issues¹⁷¹. Upon the beginning of every legislative session, the standing committees are inaugurated and are organized to fit with the key sectors of governance and national development. They are important for providing expertise and promoting specialization among

¹⁶⁸ Ibid [1]

¹⁶⁹ Nigerian Senate Standing Orders 2023(as amended), Orders 96 (Special Committees)

¹⁷⁰ Ibid

¹⁷¹ Nigerian Senate Standing Orders 2023(as amended), Orders 97 (Committee of Selection)

Senators. The committees help the Senate by focusing on specific subject areas in greater details than would have been possible in senate plenary sessions. The operational structure of committees often begins with the appointment of both committee members and leaders. Committee membership is normally decided by the Senate President after consulting with party leaders, guaranteeing a balance of participation across regions and political parties¹⁷². Committees are guaranteed to stay organised and focused in their work thanks to this leadership structure.

Once constituted, committees operate by holding regular meetings to deliberate on matters referred to them. These meetings are structured and guided by an agenda prepared by the chairperson in consultation with committee members. During meetings, members engage in discussions, review documents, and hear presentations from relevant stakeholders. Committees have the authority to summon government officials, experts, and other stakeholders to provide information or clarify issues related to their mandate. This investigative function is a vital aspect of committee work, enabling them to gather evidence and make informed decisions or recommendations. The Senate Committees are also responsible for reviewing of legislation¹⁷³. When a bill is introduced in the Senate, it is usually referred to the relevant committee for detailed examination. The committee scrutinizes the bill's provisions, evaluates its implications, and consults with stakeholders, including civil society groups and subject matter experts¹⁷⁴. This process often involves public hearings, where interested parties can present their views and contribute to the legislative process¹⁷⁵. The committee's findings and recommendations are then compiled into a report, which

¹⁷² Ibid

¹⁷³ Ibid

¹⁷⁴ Nigerian Senate Standing Orders 2023(as amended), Orders 96 to 127 (Committee Rules)

¹⁷⁵ Nigerian Senate Standing Orders 2023(as amended), Order 121 (Public Hearings)

is presented to the Senate during Senate plenary for further debate and decision-making. This thorough review ensures that legislation is well-considered and reflective of diverse perspectives.

Committees also play a significant role in oversight, holding the executive branch accountable for its actions and ensuring the proper implementation of laws and policies. This oversight function is exercised through regular monitoring, site visits, and the review of reports submitted by government ministries, departments, and agencies (MDAs). Committees are empowered to investigate instances of mismanagement, corruption, or inefficiency, making recommendations for corrective action where necessary. This function underscores the Senate's role in ensuring good governance and protecting the public interest.

Regarding the operational procedure, the operation of the committees are guided by the rules of order and decorum as stated in the Senate Standing Orders¹⁷⁶. Decisions are usually made by majority vote, with each member having an equal vote. In situations where consensus cannot be reached, dissenting opinions are included in the committee's report to provide a complete view of the deliberations. This singular act promotes inclusivity and ensures that the perspective of the minority group is ignored. Committees also maintain detailed records of their proceedings, which serve as a reference for future deliberations and provide transparency in their operations. The Standing Orders further emphasize the importance of reporting in committee operations. Committees are required to submit their findings and recommendations to the Senate in the form of detailed reports¹⁷⁷. These reports are debated in Senate plenary meetings, where the Senate may adopt, amend, or reject the committee's recommendations. The quality and thoroughness of these reports are important because they form the basis for legislative decisions and policy directions.

¹⁷⁶ Ibid [22]

¹⁷⁷ Ibid [22]

According to the Standing Order, any Senator that is chosen to a standing committee may be discharged by order of the Senate from attending the committee and another Senator is nominated by the party to which the discharged Senator belongs¹⁷⁸.

Regarding vacancy in committee membership, The Senate Standing Order states that if a position becomes vacant, another member should be nominated by the party with the approval of the Senate to fill the vacancy. The chairman, Vice-chairman and members of a standing or special committee is appointed by the chairman of the selection committee in consultation with the selection committee subject to the approval of the Senate. The Quorum at committee sittings is one-third of the membership provided the chairman in his absence the Vice chairman acting in that capacity is present.

3.4 Suspension of Senate Members

The Senate Standing Orders 2023 (as amended) address the suspension of Senators primarily in Order 67^{179 180}. This outlines the procedures for maintaining order during debates and specifies the disciplinary actions for Senators who violate the rules of the Senate. According to the rules, a member can be suspended for serious misconduct or for disrupting the Senate's proceedings. Suspension typically arises from violations of the Senate's Standing Orders, Code of Conduct, or ethical guidelines. Such violations may include disruptive behavior during debates, refusal to comply with the Presiding Officer's rulings, unauthorized disclosure of confidential information, or actions that bring the Senate into disrepute. By addressing such breaches, the suspension process

¹⁷⁸ Ibid [22]

¹⁷⁹ Ibid [1]

¹⁸⁰ Nigerian Senate Standing Orders 2023(as amended), Order 67 (Naming and Suspension of Members)

seeks to preserve the institution's integrity while ensuring that members adhere to the standards of conduct expected of them.

Order 67 details the process for naming a Senator who persists in irrelevance or repetition, despite the Senate President's call to order. If such a senator persists in tedious, irrelevant and grossly disordered conduct despite the warning and call to order, the Senate President may name the Senator, and a motion may be made for the Senator's suspension from the service of the Senate¹⁸¹. If the offence of the named Senator is a minor one, the senate president orders the Senator to be withdrawn for the rest of the day. However, if the offence appears to be a more serious one, a motion is then made for the suspension of such a senator from the service of the senate. The President of the Senate puts the question on motion being made with no amendment, adjournment or debate. The duration of such a suspension is determined by the Senate but cannot exceed 14 days¹⁸². During the suspension period, the Senator is required to withdraw from the precincts of the Senate. Additionally, Order 53 addresses disorderly conduct and provides that a Senator whose conduct is grossly disorderly may be suspended from the service of the Senate for a period not exceeding 14 days¹⁸³.

Order 67 section 6 permits the use of force if need be during suspension. In the event that a suspended Senator refuses to comply with the President's orders when called upon by the sergeant-at-arms, the President may inform the Senate that force is required to enforce compliance against any designated Senator¹⁸⁴. The order also states that no more than one Senator may be named simultaneously, unless two or more Senators have collectively violated the Presiding Officer's

¹⁸¹ Ibid

¹⁸² Ibid

¹⁸³ Nigerian Senate Standing Orders 2023(as amended), Order 53 (Disorderly Conduct).

¹⁸⁴ Ibid [28]

authority. In the event that a Senator is suspended under the regulation, the Senate President orders the Senator to withdraw. The Senator remains suspended until the Senate makes a decision. Additionally, the Order states that if a Senator or two or more Senators acting jointly who have been suspended under the rules refuse to comply with the President's order to withdraw, force is used to force compliance¹⁸⁵. After removing the Senator or Senators that are named for disobeying the Senate President's orders from the Senate, they are suspended from the Senate for the rest of the session without being asked again. Both suspended and withdrawn Senators are typically stripped of their privileges for the duration of the suspension¹⁸⁶. This includes the loss of access to Senate facilities, exclusion from committee meetings, and the forfeiture of allowances or benefits associated with their role. However, suspension does not affect a member's status as an elected representative, as they remain accountable to their constituents and retain their seat in the Senate.

3.5 The Strengths and Weaknesses of the Standing Rules

3.5.1 The Strengths of the Standing Orders

i. Procedural Clarity

One of the most commendable features of the Senate Standing Orders is the clarity they provide in legislative proceedings. The rules clearly define the steps and processes involved in Senate activities, such as introducing bills, debating motions, voting, and committee operations¹⁸⁷. This procedural framework ensures consistency and minimizes ambiguity, allowing senators to understand and adhere to established norms. For example, the Standing Orders stipulate specific guidelines for the introduction and consideration of bills, including requirements for first, second,

¹⁸⁵ Ibid [28]

¹⁸⁶ Ibid [28]

¹⁸⁷ Ibid [1]

and third readings. These procedures ensure that all legislative proposals are thoroughly scrutinized before passing them into law. This clarity is valuable in a legislative environment that involves diverse political interests, as it provides a common reference point for resolving procedural disputes. Also, coding the Senate Rules drastically reduces the potential for arbitrary decision-making by Senate leadership. By outlining the responsibilities and limitations of important officers, such as the Senate President and committee chairpersons, the Standing Orders promote fairness and transparency in the conduct of Senate business.

ii. *Promotion of Parliamentary Democracy*

The Standing Orders play a very important role in upholding the principles of parliamentary democracy by promoting debate, deliberation, and representation. The rules ensure that all senators, regardless of their party affiliations or constituencies, have the opportunity to contribute to legislative discussions. This inclusivity strengthens the democratic process by allowing diverse perspectives to shape policy decisions. One notable example is the provision for time allocation during debates¹⁸⁸. The Standing Orders ensure that senators from both majority and minority parties are given opportunities to present their views, thereby preventing the marginalization of minority voices. This balanced approach is required for promoting pluralism and ensuring that the Senate reflects the diversity of Nigerian society. Also, the rules governing committee operations enhance the democratic process by delegating specific responsibilities to smaller groups of senators. Committees are tasked with conducting detailed examinations of legislative proposals, policies, and administrative matters. This decentralized approach allows for more thorough deliberations and ensures that complex issues are addressed comprehensively.

¹⁸⁸ Ibid [7]

iii. *Enhanced Legislative Oversight*

Legislative monitoring of the Executive branch is one of the main strengths of Standing Orders. By enabling the Senate to examine government programs, regulations, and spending, the rules guarantee that public funds are used efficiently and legally. The Standing Orders clearly specify procedures like question time, motions for discussion, and the authority to call public servants to testify before the Senate or its committees. For example, there is provision for the establishment of oversight committees tasked with monitoring the implementation of laws and evaluating the performance of government agencies¹⁸⁹. These committees serve as instruments for holding the Executive accountable and ensuring that its actions align with legislative intent. The Standing Orders facilitate transparency in the oversight process by requiring public hearings and the publication of committee reports.

iv. *Support for Structured Deliberations*

Another strength of the Standing Orders is their emphasis on structure and orderliness in legislative deliberations. By specifying rules for speaking time, the order of speakers, and the procedures for raising points of order, the Standing Orders ensure that debates are conducted in an organized and efficient manner. This structure minimizes disruptions and allows the Senate to focus on issues that are of utmost importance. The rules governing voting procedures also contribute to structured deliberations. Whether through voice votes, division votes, or electronic voting (where applicable), the Standing Orders ensure that decisions are made transparently and reflect the majority will¹⁹⁰. The Standing Orders also make provision for the prioritization of legislative business, enabling the Senate to address urgent matters promptly. Take for instance, motions of national importance can

¹⁸⁹ Ibid [17]

¹⁹⁰ Ibid [13]

be tabled and debated without delay, ensuring that the Senate remains responsive to pressing issues affecting the nation.

v. *Facilitation of Institutional Stability*

The Nigerian Senate Standing Orders contribute to the institutional stability of the Senate by providing a framework for the orderly transition of leadership and the resolution of internal conflicts. Rules governing the election of the Senate President, Deputy Senate President, and other significant officers ensure that these positions are filled through transparent and democratic processes. In addition, the Standing Orders include provisions for addressing disputes among senators or between Senate leadership and rank-and-file members. The rules help to preserve unity and cohesion within the Senate, even in the face of political disagreements, by outlining procedures for resolving such conflicts.

vi. *Reinforcement of Federal Principles*

The Standing Orders align with Nigeria's federal structure by ensuring equal representation and participation of senators from diverse states and geopolitical zones. The rules guarantee that legislative debates and committee compositions reflect the country's diversity, fostering a sense of inclusion and balance in national governance. The provisions mandating proportional representation of senators in committee memberships allow all states to have a voice in legislative discussions that are of importance, regardless of their political or economic influence. This reinforcement of federal principles not only strengthens national cohesion but also ensures that policies and laws are shaped by a broad spectrum of regional perspectives. The Standing Orders' emphasis on state-based representation during the election of key officers like the Senate President

ensures that leadership positions rotate among different geopolitical zones, promoting equity and reducing the dominance of any single region.

3.5.2 Weaknesses of the Senate Standing Rules

The Nigerian Senate Standing Orders, 2023(as amended), while designed to provide structure and order to legislative proceedings, exhibits several weaknesses that undermine its adaptability, inclusiveness, transparency, and fairness. These weaknesses include rigidity, lack of inclusivity, limited public participation, and arbitrary suspension powers.

i. Rigidity of the Standing Orders

This is a limitation that affects the ability of the Standing Orders to accommodate the fast-paced nature of modern legislative demands. Many of the rules are overly stringent. For instance, the limits on debates while intended to streamline discussion, frequently stifles meaningful contributions, particularly on issues that are contentious. Senators may find it challenging to articulate their perspectives adequately, leading to decisions that lack thorough and careful deliberation.

The processes for changing or suspending rules are unduly complicated. The requirement of a two-thirds majority to update the Standing Orders, for example, guarantees that modifications are deliberate but also renders the regulations rigid. This inflexibility makes it more difficult for the Senate to adapt to changing social, political, and economic conditions.

Voting procedures also exhibit this rigidity. Roll calls and division votes are just two examples of the time-consuming procedures and forms required by the Standing Orders for voting. Although the goal of these procedures is to guarantee precision and responsibility, they are less appropriate

in circumstances that call for prompt decision-making. This rigidity frequently causes legislative delays, particularly in times of emergency when prompt action is essential.

ii. *Lack of inclusivity*

The lack of inclusivity within the Senate’s decision-making processes is another significant weakness. Inclusivity in the Senate’s standing order is compromised by the impervious nature of some decision-making processes. For example, closed-door sessions and confidential deliberations limit transparency, leaving citizens and even some legislators unaware of the rationale behind important decisions. Such practices promote exclusive perception of the public, eroding public trust in the Senate’s commitment to representing the various interests of Nigeria and its citizens.

The Standing Orders do not adequately empower underrepresented groups, such as women and ethnic minorities, to participate effectively in the legislative process. Despite Nigeria’s diverse demographic composition, the rules lack specific provisions to ensure that these groups have a significant voice in shaping legislative priorities and policies. This deficiency perpetuates inequities and reduces the overall inclusiveness of the Senate.

Highlighting this point strictly from a gender perspective, it is important to bring to the fore, the United Nations Security Council Resolution (*UNSCR*) 1325, unanimously passed by the Security Council on the 31st of October 2000, as the first of several resolutions addressing “*Women, Peace, and Security*” (WPS) from many perspectives, and serving as a foundational instrument in the promotion of women's rights, participation, and protection in conflict and post-conflict situations. The implementation of this *UNSCR 1325* by UN Member States, including Nigeria, is primarily achieved through a National Action Plan (NAP) which sets priorities, coordinates action, and

tracks progress on women, peace, and security to fulfil global obligations while responding to local realities and contexts.

The National Action Plans usually recognizes women's vulnerability to threats of violence, rape, forced immigration and labor, trafficking, sexual slavery and sextortion, and prompts meaningful changes in behavior, legislation, policies, and funding, providing civil society organizations (CSOs) with a mechanism to hold governments accountable. After two initial National Action Plans spanning 2013-2016, and 2017-2020, Nigeria has developed a third National Action Plan for the period 2024-2028 built on five pillars of Prevention & Disaster Preparedness, Participation & Representation, Protection & Prosecution, Crisis Management, Early Recovery & Post-Conflict Reconstruction, and Partnership Coordination & Management. Regrettably, despite the existence of this third National Action Policy on *UNSCR 1325*, Nigeria continues to experience multiple conflicts and violence involving different actors which impacts women and girls negatively in distinctive and disproportionate measures.

Consequently, irrespective of the development of this third National Action Policy on *UNSCR 1325*, the participation of women in decision making processes related to conflict resolution, management and resolution continues to be almost non-existent, leaving a lot to be desired.

iii. Limited Public Participation

Although public participation is regarded as a foundation of democratic governance, the Standing Orders have fallen short of it. Despite the fact that the rules allow public submissions during certain legislative procedures such as hearings on bills, there is no structured mechanism to ensure consistent citizen input at key stages of the law-making process. As a result, public engagement remains sporadic and largely discretionary. Also, during the drafting and consideration of bills,

citizen input is often confined to stakeholders directly invited to public hearings. This selective approach excludes a significant portion of the population, particularly those who lack access to formal channels of engagement. Furthermore, the reliance on ad-hoc methods for public consultation reduces the transparency and accountability of legislative processes. In many cases, the public is only informed of legislative outcomes after decisions have been made, with little opportunity to influence the content or direction of policies. This disconnection diminishes the legitimacy of enacted laws.

iv. Arbitrary Suspension Powers

The power to suspend senators indefinitely, as provided by the Standing Orders, represents a troubling weakness that has often been exploited for purposes other than genuine disciplinary reasons. While the intention behind suspension rules is to maintain order and decorum, their application has frequently been arbitrary and driven by partisan interests. Indefinite suspensions, in particular, have been used as tools to suppress dissenting voices or neutralize political opponents. The problem is exacerbated by lack of clear criteria presiding suspension powers. This vagueness allows for subjective interpretation and selective enforcement, leading to abuse of power. This problem also has broader implications for legislative representation. When senators are suspended indefinitely, their constituencies lose representation in the Senate, effectively disenfranchising voters. This creates a democratic deficit, as citizens are denied the opportunity to have their voices heard on critical issues.

v. Outdated Provisions

Another significant weakness within the Standing Order is the presence of outdated provisions that fail to reflect the realities of contemporary legislative and political environments. Some procedural

rules that are stated in the Senate Orders are rooted in traditions that are no longer relevant in modern governance. The emphasis on manual voting methods, despite the availability of more efficient electronic systems, is a glaring example of the Senate's reluctance to modernize. Similarly, the rules governing public access to Senate proceedings do not adequately leverage modern communication technologies. While the Standing Orders allow for public access to certain deliberations, they lack provisions for live streaming or digital archiving of sessions, which would enhance transparency and accessibility. Outdated provisions also hinder the Senate's ability to address emerging issues such as climate change, cybersecurity, and global health crises.

vi. *Insufficient Provisions for Capacity Building*

The Standing Orders do not include provisions for the continuous training and capacity-building of senators and legislative staff. Given the ever increasing and complex nature of modern governance, senators require ongoing education on emerging issues, legislative best practices, and the use of technology in parliamentary procedures. The absence of structured training programs limits the ability of senators to perform their duties effectively and adapt to new challenges.

vii. *Lack of Clear Timelines for Legislative Processes*

The absence of explicit timelines for key legislative activities, such as the passage of bills or the consideration of motions, is another weakness of the Standing Orders. Without clear deadlines, legislative processes are prone to unnecessary delays, often caused by political wrangling or procedural bottlenecks. This lack of urgency hampers the Senate's ability to respond to pressing national issues in a timely manner. For example, the protracted delays in the consideration of some bills that are of essence to the nation, such as the annual budget, highlight the inefficiencies

inherent in the current procedural framework. These delays not only disrupt governance but also undermine public confidence in the Senate's effectiveness.

viii. Susceptibility to Political Manipulation

The Standing Orders are often manipulated to serve the interests of dominant political factions, undermining their impartiality. Say, the rules governing the election of Senate leadership and the committees are frequently adapted to consolidate the power of majority parties. This manipulation reduces the representation of minority parties and suppresses the diversity of viewpoints that is essential for healthy legislative debates. Moreover, the Standing Orders grant significant discretionary powers to the Senate President and other key officers, making them susceptible to abuse. The Senate President's authority to interpret and apply the rules during plenary sessions has occasionally been used to silence opposition voices or advance partisan agendas. This concentration of power not only compromises the fairness of proceedings but also undermines the democratic principles that the Senate is supposed to uphold.

CHAPTER FOUR

A CASE FOR THE REVISION OF THE STANDING RULES OF THE SENATE (AS AMENDED)

4.0 Revisions to the Standing Rules of the Senate

4.1 Proposed Revisions to the Nigerian Senate Standing Orders: Debate Regulation

The current debate regulation in Standing Orders provide a foundational framework within the Nigerian Senate. However, there is room for enhancement to better align with global best practices and address contemporary legislative challenges. This section outlines the need for updating the Standing Rules, with a focus on debate regulation, voting procedures, and legislative efficiency.

i. Implementation of Structured Speaking Time Allocations

Order 55 establishes time constraints for individual speeches to promote efficiency and prevent any single Senator from monopolizing the floor. If a Senator exceeds the time limit of forty minutes on any topic, the Presiding Officer has the authority to call them to order and request that they conclude their remarks¹⁹¹. This presents a more rigid and static approach in the senate. In comparison, the U.S. Senate employs a more flexible approach, allowing for extended debates through mechanisms like the filibuster. Additionally, to prevent indefinite discussion, the Senate invokes cloture- a procedure to end debate requiring a supermajority vote¹⁹².

Thus, to address this, the Senate can introduce a tiered system of speaking time allocations based on the significance of the motion or bill under discussion. For instance, major bills could allow longer speaking times, while routine matters might have shorter limits. This will allow the Senate

¹⁹¹ Nigerian Senate Standing Orders 2023(as amended), Order 55 (Time Limits for Speeches)

¹⁹² Smith S S, Roberts J M and Vander Wielen R J, The American Congress (Cambridge University Press 2013).

to invoke cloture (a procedure to end debate), requiring a supermajority vote. This balance ensures thorough deliberation while providing a mechanism to conclude debates when necessary. Imre et al.¹⁹³ highlight that such procedural tools are integral in managing legislative efficiency and ensuring that minority opinions can be expressed without derailing legislative progress.

In their analysis of legislative debates across thirty-three liberal democracies, Proksch and Slapin¹⁹⁴ highlight the effectiveness of structured speaking times in enhancing deliberative quality. They argue that tailored speaking times, adjusted to the importance of the subject matter, can lead to more focused and substantive contributions. Similarly, Sieberer et al.¹⁹⁵ emphasize that flexible time allocations, responsive to the context of the debate, promote efficiency and prevent the monopolization of discussions by a few members. These studies suggest that a nuanced approach to speaking times can balance thorough deliberation with procedural efficiency.

ii. Strengthening Mechanisms for Maintaining Decorum

One of the fundamental principles of legislative proceedings is the ability to maintain decorum, ensuring that debates remain structured, productive, and free from unnecessary disruptions. The Nigerian Senate's Order 56, which addresses disorderly conduct, plays a crucial role in upholding these standards. However, its effectiveness is limited by outdated enforcement mechanisms, leaving gaps that hinder the smooth functioning of legislative debates. Order 56 primarily serves as a disciplinary measure for handling disorderly conduct, but its approach is reactive rather than preventive¹⁹⁶. The enforcement of decorum depends largely on the discretion of the presiding

¹⁹³ Imre M, Ecker A, Meyer T M and Müller W C, *Coalition Mood in European Parliamentary Democracies* (British Journal of Political Science 2023).

¹⁹⁴ Proksch S-O and Slapin J B, *The Politics of Parliamentary Debate: Parties, Rebels and Representation* (Cambridge University Press 2015).

¹⁹⁵ Sieberer U, Dutkowski J F, Meißner P and Müller W C, *Going Institutional to Overcome Obstruction: Explaining the Suppression of Minority Rights in Western European Parliaments, 1945–2010* (2020).

¹⁹⁶ Nigerian Senate Standing Orders 2023(as amended), Order 56 (Conduct of Debate)

officer, leading to inconsistencies, potential bias, and inefficiencies in managing disruptions. The lack of a structured mechanism to monitor adherence to speaking time, recognize speakers fairly, or issue real-time decorum alerts makes it difficult to maintain order proactively¹⁹⁷.

From the foregoing, it is safe to say that the Nigerian Senate faces challenges in maintaining decorum during legislative debates due to outdated procedural frameworks, leading to inconsistencies in enforcing order. As highlighted by Harcourt¹⁹⁸, the absence of well-defined decorum rules can lead to disruptions and reduced legislative efficiency. To address this, the Nigerian senate can strengthen its decorum through adoption of technology.

The Nigerian Senate is primarily backwards with respect to technological integration in its legislative activities. Other parliamentary systems such as the UK and Canada have successfully adopted technology to maintain order and efficiency in legislative proceedings¹⁹⁹. For example, the Canadian House of Commons has increased the utilization of electronic systems to monitor and regulate speaking times, helping to ensure that each member is recognized in a transparent and fair manner²⁰⁰. This does not only enhance transparency but also reduce bias and human error, ensuring that debate remains focused and orderly²⁰¹. The Nigerian Senate can learn from these best practices by implementing similar technologies that provide real-time monitoring of speakers and their adherence to time limits, promoting fairness and minimizing the potential for disorder.

¹⁹⁷ Klein S R, *Movements in the Discretionary Authority of Federal District Court Judges Over the Last 50 Years* (Loyola University Chicago Law Journal 2018).

¹⁹⁸ Harcourt B A, *When to Initiate Disciplinary Proceedings: The Role of Judges in Maintaining Candor and Decorum* (University of Nevada, Reno 1997).

¹⁹⁹ Simon J, Bass T, Boelman V and Mulgan G, *Digital Democracy: The Tools Transforming Political Engagement* (2017).

²⁰⁰ Ibid

²⁰¹ Fitsilis F, von Lucke J, De Vrieze F, Mikros G, Palmirani M, Read A and Harris M, *Guidelines for AI in Parliaments* (Westminster Foundation for Democracy 2024).

Studies emphasize that the integration of technological tools is necessary for ensuring legislative efficiency and maintaining order. According to Brassard²⁰², legislative bodies that embrace digital tools for timekeeping and speaker management experience more productive debates, as these tools facilitate transparent processes and minimize disputes. Moreover, the role of decorum in fostering public trust cannot be overstated. When legislative processes are orderly and fair, the public is more likely to have confidence in their elected representatives and the political system²⁰³. The absence of such mechanisms in the Nigerian Senate could erode trust in the institution and diminish its effectiveness.

In the light of these challenges and lessons, the Nigerian Senate should consider adopting digital tools to manage decorum more effectively. These tools could include automated systems to track speaker recognition, real-time monitoring of speaking times, and digital alerts to ensure that members adhere to established conduct. Such measures would not only strengthen procedural efficiency but also align the Nigerian Senate with best practices observed in other legislative bodies²⁰⁴. Moreover, adopting these technologies could lead to more transparent, fair, and orderly debates, ultimately improving the Senate's public image and legislative outcomes.

iii. Establishment of Thematic Debate Sessions

²⁰² Brassard D J, *How Can Information Technology Transform the Way Parliament Works?* (Parliamentary Research Branch 2000).

²⁰³ National Conference of State Legislatures (NCSL), *The Importance of Decorum in Legislative Proceedings* (2020). Available at: https://www.nmlegis.gov/Publications/New_Member_Orientation/Decorum%20Legis%20Brief.pdf.

²⁰⁴ House of Commons, *Rules of Order and Decorum - Introduction* (2000). Available at: <https://www.ourcommons.ca/marleaumontpetit/DocumentViewer.aspx?Language=E&Print=2&Sec=Ch13&Seq=1>.

The Nigerian Senate's Standing Orders emphasize that a senator must confine their observations to the subject under discussion and may not introduce irrelevant matters. This rule aims to maintain focus during debates²⁰⁵. Despite this, the absence of structured thematic sessions can result in broad discussions that may not effectively address specific policy areas. Implementing structured thematic debate sessions can enhance the depth and quality of legislative deliberations. The United Nations General Assembly, for instance, regularly organizes high-level thematic debates to provide valuable insights and ideas on pressing global issues²⁰⁶. Similarly, the Parliament of Luxembourg conducts major debates in plenary sessions aimed at guiding decisions at the European level²⁰⁷.

Research indicates that thematic debates allow legislators to delve deeper into specific topics, leading to more informed decision-making. A thematic analysis of parliamentary debates in Victoria, Australia, demonstrated that focusing on particular issues enabled a more comprehensive understanding and consideration of the matters at hand²⁰⁸. Moreover, the Portuguese Assembly of the Republic holds thematic debates, allowing each parliamentary group to propose discussions on matters of general or sectoral policy, thereby promoting a more organized and focused legislative process²⁰⁹.

Through thematic debate sessions, the Nigerian Senate can allocate dedicated time to discuss specific policy areas, ensuring thorough examination and informed policymaking. This approach not only enhances the quality of debates but also promotes efficiency by preventing discussions

²⁰⁵ Nigerian Senate Standing Orders 2023(as amended), Order 54 (Points of Order and Interruptions)

²⁰⁶ United Nations, *UN General Assembly Thematic Debate* (2014).

²⁰⁷ Chambre des Députés, *Major Debates in Plenary Session* (n.d.).

²⁰⁸ Mackieson P, Shlonsky A and Connolly M, *Informing Permanent Care Discourses: A Thematic Analysis of Parliamentary Debates in Victoria* (The British Journal of Social Work 2018).

²⁰⁹ Assembleia da República, *Competences* (n.d.).

from becoming overly broad or unfocused. Furthermore, thematic debates can facilitate greater public engagement, as citizens can more easily follow and contribute to discussions on topics of particular interest or concern²¹⁰.

iv. Strengthening Points of Order for Effective Debate Regulation

Order 43 of the Nigerian Senate Standing Orders provides Senators with the opportunity to make personal explanations, even when no question is before the Senate. However, these explanations must not introduce new matters or become contentious. This mechanism ensures that Senators can clarify personal points without disrupting the ongoing proceedings²¹¹.

In parliamentary practice, a point of order is a formal objection raised by a member concerning the proceedings, typically about a breach of the Standing Orders or improper conduct during the debate. When a Senator raises a point of order, they are signaling that they believe a rule has been violated and are seeking the Presiding Officer's ruling on the matter. Points of order can relate to procedural issues, such as whether the debate is proceeding according to the rules, or to the relevance of a speech to the topic being discussed. The Presiding Officer is responsible for ruling on points of order. If the point of order is upheld, the Presiding Officer may instruct that the proceedings be corrected or that a Senator be called to order. This ensures that the debate remains within the boundaries set by the Senate's rules and that all members follow the same procedural guidelines²¹².

A notable flaw in the Nigerian Senate's Standing Order 43 is its limited scope, which primarily permits Senators to make personal explanations without introducing new or contentious matters.

²¹⁰ Isa D, Ucture R, Tech N and Lture U, *Thematic Approach* (5th World Water Forum Secretariat 2010).

²¹¹ *Policy Process* (CQ Press 2015).

Policy and Legal Advocacy Centre (PLAC), *Senate Standing Orders 2023(as amended)* (2023).

²¹² Nigerian Senate Standing Orders 2023(as amended), Order 54 (Points of Order and Interruptions)

This restriction may inadvertently limit the ability of Senators to address procedural breaches or raise immediate concerns during debates, potentially allowing violations of the Standing Orders to go unaddressed in real-time. To enhance procedural integrity and ensure immediate redressal of breaches during debates, it is recommended that Order 43 be expanded to explicitly include provisions for raising points of order. This would empower Senators to promptly address and rectify any violations of the Standing Orders or improper conduct during proceedings.

This resonates with the Orders of other developed nations. For instance, in the U.S. House of Representatives, the enforcement of procedural rules is facilitated through parliamentary points of order. Members can raise points of order to object to legislation or actions that violate established rules, ensuring adherence to procedural norms. However, the effectiveness of this mechanism relies on timely intervention by members, as enforcement is not automatic²¹³. Similarly, the Belizean Senate's Standing Orders provide structured guidelines for maintaining order during debates. For instance, Order 42 assigns responsibility for order in the Senate and its committees, while Order 43 mandates that the President be heard in silence, underscoring the importance of decorum and procedural adherence²¹⁴.

4.2 Proposed Revisions to the Nigerian Senate Standing Orders: Voting Procedures

The voting procedures in the Nigerian Senate, as outlined in the Senate Standing Orders 2023 (as amended), are designed to uphold transparency, accountability, and fairness in legislative decision-making²¹⁵. However, certain aspects of these procedures present challenges that may hinder their effectiveness.

²¹³ U.S. House of Representatives, *House Practice: A Guide to the Rules, Precedents and Procedures of the House* (2011).

²¹⁴ National Assembly of Belize. (1967). *Standing Orders of the Senate*.

²¹⁵ Nigerian Senate Standing Orders 2023(as amended), Order 73 (Voting Methods)

i. Electronic Voting System

The Nigerian Senate's current voting procedures, as delineated in Orders 71–75 of the Senate Standing Orders 2023 (as amended), predominantly utilize traditional methods such as voice votes. In this process, the Presiding Officer listens to the collective responses of Senators and makes a judgment call on whether the "Ayes" or "Nays" prevail²¹⁶. While these methods have been foundational in legislative decision-making, they present certain limitations in terms of efficiency and transparency. The primary flaw in this approach is its subjectivity, as the Presiding Officer's judgment is the decisive factor in determining the result of a voice vote. The reliance on auditory judgment in voice votes can lead to ambiguities, especially in closely contested decisions, and division votes, although more precise, can be time-consuming. Davidson et al.²¹⁷ stated that in the United States Congress, voice votes are typically used for procedural matters but are rarely employed for significant legislative decisions due to their inherent lack of precision. Similarly, Proksch & Slapin²¹⁸ highlighted concerns over the reliability of voice voting, emphasizing that it may not accurately reflect the majority opinion.

To address these challenges, the implementation of a secure electronic voting system is proposed. Such a system would streamline the voting process, reduce the time required to tally votes, and enhance the accuracy and transparency of legislative outcomes²¹⁹. The adoption of electronic voting systems in legislative bodies is not unprecedented and has been associated with notable improvements in procedural efficiency. An example of such is the U.S. House of Representatives,

²¹⁶ Nigerian Senate Standing Orders 2023(as amended), Order 73 (Voting Methods)

²¹⁷ Davidson R H, Oleszek W J, Lee F E and Schickler E, *Congress and Its Members* (CQ Press 2019).

²¹⁸ Proksch S-O and Slapin J B, *The Politics of Parliamentary Debate: Parties, Rebels and Representation* (Cambridge University Press 2015).

²¹⁹ Kohno T, Stubblefield A, Rubin A D and Wallach D S, *Analysis of an Electronic Voting System* (IEEE Symposium on Security and Privacy 2004).

which following the Legislative Reorganization Act of 1970, authorized the development of an electronic voting system. This system was first utilized in 1973 and has since facilitated quicker vote counts and reduced procedural delays, thereby enhancing legislative efficiency²²⁰. The transition to electronic voting allowed for more precise recording of votes and minimized the potential for human error inherent in manual counting methods.

Similarly, the European Parliament has explored the potential of electronic voting to increase the security of the ballot, expedite the processing of results, and simplify the voting process. However, it also cautioned that if not carefully planned and designed, e-voting can undermine the electoral process. This outlines the importance of meticulous planning and robust system design in the implementation of electronic voting to ensure that it bolsters, rather than compromises, the integrity of the legislative process²²¹.

Furthermore, India's adoption of Electronic Voting Machines (EVMs) has significantly improved the efficiency of its electoral process. The 2019 general election in India witnessed a historic 67% voter turnout from nearly 900 million registered voters, underscoring the effectiveness of EVMs in handling large-scale elections²²². This demonstrates the scalability of electronic voting systems and their capacity to manage extensive and complex voting exercises efficiently.

Incorporating a secure electronic voting system within the Nigerian Senate could align its procedures with these international best practices, thereby enhancing the efficiency, accuracy, and transparency of its legislative processes. Such a system would not only expedite the voting process but also provide a verifiable and auditable trail of votes, thereby strengthening the integrity of

²²⁰ Congressional Research Service, *Electronic Voting System in the House of Representatives* (2011).

²²¹ European Parliament, *Potential and Challenges of E-Voting in the European Union* (2016).

²²² Brookings Institution, *How Electronic Voting Machines Have Improved India's Democracy* (2019).

legislative decisions. However, it is imperative to ensure that the system is designed with robust security measures to prevent unauthorized access and to maintain the confidentiality and integrity of the voting process.

ii. **Roll Call Voting System for Division Voting Procedure**

The Nigerian Senate's current division voting procedures, as outlined in Order 73 of the Senate Standing Orders 2023 (as amended), involve a process where Senators physically position themselves to indicate their votes, followed by a manual tally conducted by the Clerk²²³. While this method has been traditionally employed, it presents certain limitations, including the potential for procedural delays and challenges in maintaining an accurate and transparent record of individual voting behaviours.

To address these challenges, the implementation of roll call votes is proposed as a means to enhance transparency and accountability within the legislative process. A roll call vote is a method wherein each member's vote is recorded individually, typically through the Clerk calling out the names of Senators, who then verbally express their vote. This process ensures that each Senator's position on a given issue is documented, providing a clear and public record of legislative decisions.

The adoption of roll call votes offers several advantages. Primarily, it promotes transparency by making individual voting records accessible, thereby allowing constituents to hold their representatives accountable for their legislative actions. This level of openness is crucial in fostering public trust in the legislative process. Additionally, roll call votes can deter potential misconduct, as Senators are cognizant that their votes are part of the public record.

²²³ Nigerian Senate Standing Orders 2023(as amended), Order 73 (Voting Methods)

The effectiveness of roll call voting has been observed in various legislative bodies. In the United States Congress, for example, roll call votes are a standard procedure, providing a detailed account of each member's stance on legislative matters²²⁴. This practice not only ensures accountability but also allows for the analysis of voting patterns and the assessment of party unity and member alignment on policy issues. As noted by Poole and Rosenthal²²⁵, roll call votes are instrumental in understanding the ideological positions and voting behaviours of legislators.

Similarly, the European Parliament employs roll call votes to enhance transparency and provide a comprehensive record of legislative decisions. This method facilitates the monitoring of individual members' voting behaviours and supports the integrity of the legislative process²²⁶. Hix et al.²²⁷ highlight that roll call votes in the European Parliament allow for the analysis of political dimensions and the behaviour of party groups. Implementing roll call votes in the Nigerian Senate would align its practices with these international standards, thereby strengthening the legislative framework.

4.3 Proposed Revisions to the Nigerian Senate Standing Orders: Committee Operations

The Nigerian Senate's committee system is pivotal in managing its extensive legislative duties. Orders 96 to 127 of the Senate Standing Orders 2023 (as amended) provide a comprehensive framework for the establishment, composition, and functions of these committees. However, a

²²⁴ Morgenstern S, *Patterns of Legislative Politics: Roll-Call Voting in Latin America and the United States* (Cambridge University Press 2003).

²²⁵ Poole K T and Rosenthal H, *Congress: A Political-Economic History of Roll Call Voting* (Oxford University Press 2000).

²²⁶ Carrubba C, Gabel M, Murrah L, Clough R, Montgomery E and Schambach R, *A Second Look at Legislative Behavior in the European Parliament: Roll-Call Votes and the Party System* (2004).

²²⁷ Hix S, Noury A and Roland G, *Dimensions of Politics in the European Parliament* (American Journal of Political Science 2006).

closer examination reveals areas that could benefit from refinement to enhance efficiency and align with international best practices.

i. Establishment and Composition of Committees

Committees are the backbone of any legislative body, enabling lawmakers to focus on specific areas of governance while ensuring a thorough review of bills, policies, and government activities. In Nigeria, the Standing Orders specify that committees must be established within the first fourteen legislative days after the Senate's inaugural session. This ensures that committee work commences early in a legislative term, allowing for immediate engagement with pressing national issues²²⁸.

The composition of these committees is carefully structured, with each comprising a minimum of nine and a maximum of thirteen Senators. To avoid conflicts of interest and excessive workload, no Senator is allowed to serve on more than three committees. This limitation is intended to ensure that members can dedicate adequate time and expertise to their respective committees, ultimately enhancing productivity²²⁹.

Comparatively, the United States Senate employs a more flexible approach. While the U.S. Senate has standing committees with defined jurisdiction, the number of committee memberships per Senator varies. According to Oleszek et al.²³⁰, U.S. Senators often serve on multiple committees, and some even chair subcommittees, allowing for a more dynamic distribution of expertise. This

²²⁸ Nigerian Senate Standing Orders 2023(as amended), Orders 96 (Special Committees)

²²⁹ Ibid

²³⁰ Oleszek W J, Oleszek M J, Rybicki E and Heniff Jr B, *Congressional Procedures and the Policy Process* (CQ Press 2015).

flexibility enables Senators to contribute across different policy areas, although it can sometimes lead to divided attention among competing responsibilities.

The Canadian House of Commons operates slightly differently. Its standing committees generally consist of 10 to 12 members, but instead of strict limitations on committee memberships, the focus is on proportional representation from different political parties. According to Franks²³¹, the Canadian system emphasizes party balance to ensure that committees reflect the overall composition of the House. This ensures that all major political perspectives are represented, leading to more comprehensive deliberations and reduced partisanship.

In the United Kingdom's House of Commons, the establishment of committees is guided by both necessity and expertise. Committees are formed based on subject matter relevance, and membership is often determined through a combination of party appointments and seniority. As Norton²³² explains, the UK's committee system is highly autonomous, with members having the ability to launch inquiries and call witnesses without requiring prior approval from the broader House. This degree of independence allows committees to conduct thorough investigations and policy evaluations without direct political interference.²³³

Nigeria's approach to committee formation, while structured, could benefit from incorporating elements from these systems. For instance, allowing for more flexible committee assignments, as in the U.S., could enable Senators with multiple areas of expertise to contribute more effectively. Similarly, adopting Canada's proportional representation model might ensure that opposition

²³¹ Franks C E, *The Parliament of Canada* (University of Toronto Press 1987).

²³² Norton P, *Parliament in British Politics* (Bloomsbury Publishing 2013).

²³³ Ibid

parties play a more significant role in oversight. Lastly, granting committees greater autonomy, as seen in the UK, could enhance investigative efficiency and reduce bureaucratic delays.

ii. **Committee Leadership and Membership Selection**

The selection of committee leadership and membership is a critical aspect of ensuring fair representation and effective oversight. In the Nigerian Senate, committee composition is determined by the Senate President in consultation with party leaders. This process aims to create a balance across political affiliations and regional interests, ensuring inclusivity in legislative decision-making. The leadership structure within committees is designed to provide clear direction, with each committee having a Chairman, a Vice-Chairman, and members assigned to specific responsibilities²³⁴

This method of selection, while ensuring representation, has been criticized for being too centralized and potentially favoring ruling party interests. Comparative studies show that other legislative bodies employ different approaches to committee appointments. In the U.S. Congress, committee chairmanship is typically assigned based on seniority within the majority party²³⁵. This system of selection of committee leadership and membership is a critical aspect of ensuring fair representation and effective oversight. In the Nigerian Senate, committee composition is determined by the Senate President in consultation with party leaders. This process aims to create a balance across political affiliations and regional interests, ensuring inclusivity in legislative decision-making. The leadership structure within committees is designed to provide clear

²³⁴ Nigerian Senate Standing Orders 2023(as amended), Orders 97 (Committee of Selection)

²³⁵ Fenno R F, *Congressmen in Committees* (Little & Brown 1973).

direction, with each committee having a Chairman, a Vice-Chairman, and members assigned to specific responsibilities²³⁶

This method of selection, while ensuring representation, has been criticized for being too centralized and potentially favoring ruling party interests. Comparative studies show that while fostering experience and expertise, this can sometimes entrench long-term dominance by certain lawmakers. The United Kingdom's House of Commons takes a different approach, where committee chairs are elected by fellow members of Parliament through a secret ballot²³⁷. This method enhances transparency and allows for merit-based leadership selection rather than executive appointments.

In Canada, committee leadership follows a more hybrid model, where party whips negotiate committee assignments, ensuring a fair representation of all political parties²³⁸. This prevents over-concentration of power while allowing opposition parties a significant role in legislative scrutiny. The Nigerian Senate could benefit from adopting elements of these systems, particularly the election of committee chairs by Senate members, to enhance democratic governance and reduce executive interference.

Moreover, the replacement of committee members in the Nigerian Senate follows a party-nomination process. If a Senator is discharged from a committee, their party nominates a replacement, subject to Senate approval. While this practice ensures party loyalty, it may also hinder the independence of committee operations. In contrast, the U.S. Congress allows for more flexibility, where members can voluntarily resign from committees or be reassigned based on

²³⁶ Nigerian Senate Standing Orders 2023(as amended), Orders 97 (Committee of Selection)

²³⁷ Russell M, *The Contemporary House of Lords: Westminster Bicameralism Revived* (Oxford University Press 2013).

²³⁸ Docherty D C, *Legislatures* (UBC Press 2011).

expertise and workload considerations²³⁹. Similarly, in the UK, committee membership can be adjusted based on legislative demands and individual competencies rather than strict party control²⁴⁰.

Given these international best practices, Nigeria could consider refining its selection and replacement procedures to promote transparency, merit-based appointments, and balanced representation. The house can design a system where committee chairs are elected rather than appointed to enhance legislative independence. Additionally, allowing greater flexibility in committee membership assignments based on expertise, rather than strict party lines, could improve committee effectiveness and accountability.

4.4 Proposed Revisions to the Nigerian Senate Standing Orders: Suspension of Senate Members

The suspension of Senators in the Nigerian Senate is primarily governed by Order 67 of the Senate Standing Orders 2023 (as amended). This section outlines the procedures for maintaining order during debates and enforcing disciplinary measures. These regulations seek to uphold decorum, ensure compliance with legislative ethics, and maintain the integrity of Senate proceedings²⁴¹. However, certain aspects of the suspension process present challenges that may impact its effectiveness and fairness. These aspects are reviewed and discussed below.

i. Structured Clear Due Process for Suspension

Under Order 67, if a Senator persistently engages in irrelevant or repetitive debate, despite warnings from the Senate President, they may be formally named. In cases where the misconduct

²³⁹ Deering C J, *Committees in Congress* (Congressional Quarterly Inc. 1997).

²⁴⁰ Norton P, *Parliament in British Politics* (Bloomsbury Publishing 2013).

²⁴¹ Nigerian Senate Standing Orders 2023(as amended), Order 67 (Naming and Suspension of Members)

continues, the Senate President has the authority to initiate a motion for suspension. In cases of minor infractions, the Senate President may simply order the Senator's withdrawal for the remainder of the sitting day. However, for more serious offenses, a motion is introduced for suspension, which is decided by the Senate without amendment, adjournment, or debate. The suspension period is determined by the Senate but cannot exceed 14 days. During this time, the Senator must withdraw from the Senate precincts and loses all associated privileges, including access to Senate facilities, participation in committee meetings, and certain allowances²⁴²

From the foregoing, the absence of a clearly defined due process for the suspension of senators in the Nigerian Senate raises serious concerns regarding fairness, transparency, and the protection of individual rights. Due process serves as a fundamental safeguard against arbitrary actions, ensuring that disciplinary measures within a legislative body are conducted through fair and established procedures. Without explicit procedural guidelines, suspensions risk being influenced by political motives, personal vendettas, or misinterpretations of the Standing Orders, which could ultimately undermine public trust in the institution.

A case in point is the suspension very recently, of Senator Akpoti Uduaghan for allegedly breaching the Standing Orders of the Senate. The statement explaining her suspension noted that it was a decision of the Committee of the Whole Senate, following the submission of a report by the Chairman of the Senate Committee on Ethics and Privileges. The Senate accused her of several infractions, including refusing to sit in her assigned seat during plenary on February 25, 2025, despite multiple pleas from the leadership and other ranking senators²⁴³. Additionally, she was cited for engaging in unruly and disruptive behavior, and defying a summons from the Senate

²⁴² Ibid

²⁴³ The punch. Natasha suspended for misconduct, not harassment claim, Senate replies IPU (2025). Retrived from https://punchng.com/natasha-suspended-for-misconduct-not-harassment-claim-senate-replies-ipu/#google_vignette

Committee on Ethics and Privileges, which was mandated to investigate cases of misconduct²⁴⁴. According to the Senate, her suspension was necessary to restore order and uphold the integrity of the legislative body.

The justification given for the suspension raises significant concerns about due process and fairness, particularly in the absence of explicit procedural safeguards within the Standing Orders. Under Order 67, a Senator may be suspended if they persistently engage in irrelevant or repetitive debate despite warnings²⁴⁵. However, the Standing Orders lack specific provisions ensuring procedural fairness before a suspension is imposed, leaving room for discretionary and potentially arbitrary enforcement.

The suspension of Senator Akpoti Uduaghan must be examined in light of constitutional provisions, judicial pronouncements, and the principles of natural justice. Section 36(1) of the 1999 Constitution of Nigeria (as amended) guarantees the right to a fair hearing in any determination affecting an individual's civil rights and obligations²⁴⁶. This principle extends to legislative disciplinary proceedings, as established in the case of *Garba v. University of Maiduguri* (1986) 1 NWLR (Pt. 18) 550, where the Supreme Court emphasized the necessity of affording individuals a fair opportunity to respond to allegations before disciplinary action is taken against them.

Furthermore, in *Ojukwu v. Military Governor of Lagos State* (1986) 1 NWLR (Pt. 18) 621, the Supreme Court reaffirmed the principle that governmental actions affecting the rights of

²⁴⁴ Suspension: Embattled Natasha files fresh suit as Senate backs Akpabio. Retrived from https://punchng.com/suspension-embattled-natasha-files-fresh-suit-as-senate-backs-akpabio/#google_vignette

²⁴⁵ Nigerian Senate Standing Orders 2023(as amended), Order 67 (Naming and Suspension of Members)

²⁴⁶ The Nigerian consitution 1999 (as amended), (The Right to Fair Hearing). https://nigerian-constitution.com/chapter-4-section-36-right-to-fair-hearing/#google_vignette

individuals must be exercised in accordance with due process. The absence of a clearly defined mechanism for suspending senators in the Nigerian Senate contradicts these principles, as it leaves room for politically motivated actions without proper procedural safeguards.

Legal scholars have extensively discussed the necessity of due process in legislative disciplinary actions. Mashaw²⁴⁷ argues that procedural due process is not merely a legal formality but a cornerstone of democratic governance, ensuring that individuals are given a fair hearing before punitive actions are imposed. Similarly, Fallon²⁴⁸ emphasizes that due process guarantees both substantive fairness and procedural integrity, which are essential in maintaining the legitimacy of government actions. In the legislative context, Luban²⁴⁹ notes that due process protections prevent majoritarian tyranny by ensuring that all individuals, including lawmakers, are treated fairly under established rules.

A comparative analysis of other countries reveals that legislative due process mechanisms are well-defined to protect members from arbitrary suspensions. In the United States, the Fifth and Fourteenth Amendments guarantee that no individual can be deprived of their rights without due process of law²⁵⁰. The U.S. Congress follows strict disciplinary procedures where accused members are granted a hearing, an opportunity to present a defense, and an independent ethics committee review before any suspension or expulsion is enacted. Similarly, the United Kingdom's parliamentary system ensures fairness by requiring that suspension motions undergo debate and that members have the right to appeal disciplinary measures²⁵¹. In Canada, procedural fairness is

²⁴⁷ Mashaw J L, *Due Process in the Administrative State* (1985).

²⁴⁸ Fallon Jr R H, *The Rule of Law as a Concept in Constitutional Discourse* (Columbia Law Review 1997).

²⁴⁹ Luban D, *Lawyers and Justice: An Ethical Study* (Princeton University Press 1988).

²⁵⁰ Fallon Jr R H, *The Rule of Law as a Concept in Constitutional Discourse* (Columbia Law Review 1997).

²⁵¹ Luban D, *Lawyers and Justice: An Ethical Study* (Princeton University Press 1988).

a legislative standard, ensuring that disciplinary actions are subject to review and that members have access to legal representation if needed²⁵².

From the foregoing, the Nigerian senate can design and adopt a structured due process framework for suspensions to ensure that all disciplinary actions adhere to principles of fairness, transparency, and accountability. Establishment of an Independent Ethics Committee

ii. Establishment of a Senate Disciplinary Committee

The Nigerian Senate's reliance on the discretion of the Senate President in disciplinary matters, particularly suspensions, raises concerns about impartiality, transparency, and democratic governance. While the Senate President plays a crucial role in maintaining order during proceedings, an excessive concentration of power in one individual creates room for bias, abuse of authority, and political maneuvering. This discretionary power is particularly evident in the interpretation and enforcement of Senate Standing Orders, where the Senate President has the final say in naming a senator for suspension without an independent review process.

Legal scholars have extensively examined the risks associated with excessive discretionary power in legislative settings. Dicey²⁵³ argued that the rule of law demands that no individual, regardless of their position, should wield unchecked power over legal or institutional decisions. Similarly, Bagehot²⁵⁴ highlighted the dangers of centralizing authority in parliamentary systems, noting that excessive discretion undermines institutional credibility. In the context of modern democracies,

²⁵² Mashaw J L, *Due Process in the Administrative State* (1985).

²⁵³ Dicey A V, *Introduction to the Study of the Law of the Constitution* (Macmillan 1885).
Docherty D C, *Legislatures* (UBC Press 2011).

²⁵⁴ Bagehot W, *The English Constitution* (Oxford University Press 2001).

Waldron²⁵⁵ emphasizes that legislative bodies must establish clear guidelines to prevent subjective decision-making, which can lead to inconsistent and politically motivated disciplinary actions.

A comparative analysis of other countries illustrates how legislative frameworks mitigate excessive discretion by distributing authority among committees or requiring broader consensus. In the United States, the Speaker of the House does not have unilateral power to suspend members. Instead, disciplinary matters are referred to the House Ethics Committee, which conducts investigations and makes recommendations before any action is taken²⁵⁶. This ensures that decisions are not influenced by political biases but rather by objective standards of conduct.

Similarly, in the United Kingdom, parliamentary discipline is managed by the Committee on Standards, an independent body that assesses alleged misconduct before recommending any sanctions²⁵⁷. The Speaker of the House of Commons does not have the power to unilaterally suspend a member; instead, decisions require majority approval in the chamber. Canada follows a similar approach, where disciplinary proceedings must go through an established parliamentary process that includes review by a standing committee before final action is taken²⁵⁸. This system prevents the arbitrary exercise of power and ensures that suspensions are justified and proportionate.

From the foregoing, the house can address this challenge by establishing a senate disciplinary committee instead of leaving disciplinary decisions solely to the Senate President. This committee

²⁵⁵ Waldron J, *Law and Disagreement* (Oxford University Press 1999).

²⁵⁶ United States Standing Order, *Chapter 25: Ethics; Committee on Ethics* (n.d.). Available at: <https://www.govinfo.gov/content/pkg/GPO-HPRACTICE-115/pdf/GPO-HPRACTICE-115-26.pdf>.

²⁵⁷ Bagehot W, *The English Constitution* (Oxford University Press 2001).

²⁵⁸ Dicey A V, *Introduction to the Study of the Law of the Constitution* (Macmillan 1885).

should be responsible for reviewing misconduct cases. Furthermore, it should consist of representatives from multiple political parties to ensure objectivity.

iii. Alternative Enforcement Mechanisms for Removal of Suspended Senators

The provision allowing the use of force against suspended senators in the Nigerian Senate raises serious concerns about democratic governance, human rights, and institutional integrity. Legislative discipline is a necessary function of any parliamentary body, but the use of physical force to remove elected representatives sets a dangerous precedent²⁵⁹. This practice not only threatens the dignity of the legislature but also contradicts fundamental democratic principles that emphasize dialogue, due process, and respect for the rule of law.

Historically, scholars have debated the role of coercion in maintaining parliamentary order. Bagehot²⁶⁰ argued that parliamentary institutions should function on the basis of mutual respect and adherence to established norms rather than the imposition of physical authority. Similarly, Waldron²⁶¹ emphasized that legislative procedures should be designed to encourage deliberation and voluntary compliance, rather than resorting to coercion. Dicey²⁶², one of the earliest legal scholars on constitutional governance, strongly opposed arbitrary use of state power, arguing that "force within a legislative chamber undermines its legitimacy and the trust of the public."

A comparison with other democratic nations further underscores how forceful removal of legislators is inconsistent with global parliamentary norms. In the United Kingdom, the Speaker of the House of Commons has the authority to suspend a member for disorderly conduct, but enforcement is handled with minimal confrontation. If a member refuses to leave, parliamentary

²⁵⁹ Nigerian Senate Standing Orders 2023(as amended), Order 53 (Disorderly Conduct).

²⁶⁰ Bagehot W, *The English Constitution* (Oxford University Press 2001).

²⁶¹ Waldron J, *Law and Disagreement* (Oxford University Press 1999).

²⁶² Dicey A V, *Introduction to the Study of the Law of the Constitution* (Macmillan 1885).

staff, rather than security personnel, are tasked with persuading the individual to comply. The emphasis is on voluntary withdrawal rather than physical ejection²⁶³.

In the United States, disciplinary measures against lawmakers are primarily handled through ethics committees, and refusal to comply with a suspension order does not result in the use of force. Instead, violators may face extended sanctions, including loss of committee assignments or financial penalties. Notably, when members have disrupted proceedings such as during sit-ins security personnel are only involved as a last resort and are under strict legal and procedural constraints²⁶⁴.

Similarly, in Canada, members who are suspended or removed from the House of Commons are expected to exit voluntarily. In cases of refusal, the Sergeant-at-Arms may intervene, but physical force is rarely applied, and the matter is typically resolved through negotiations or additional procedural sanctions²⁶⁵. The guiding principle is that members are accountable to their constituents, and the dignity of the legislative process must be upheld.

Given the issues associated with the use of force in the Nigerian Senate, it is imperative to implement reforms that align with democratic best practices and safeguard legislative integrity. Instead of resorting to force, the Senate should adopt alternative disciplinary measures such as extended suspensions, revocation of privileges, or financial penalties for non-compliance to induce members to comply when suspended.

²⁶³ House of Commons Information Office, *Disciplinary and Penal Powers of the House* (2010). Available at: <https://www.parliament.uk/globalassets/documents/commons-information-office/g06.pdf>.

²⁶⁴ United State standing order (n.d). Chapter 25: Ethics; Committee on Ethics. Available at: <https://www.govinfo.gov/content/pkg/GPO-HPRACTICE-115/pdf/GPO-HPRACTICE-115-26.pdf>

²⁶⁵ Standing Order 11(1)(b), *No Member Has Been Physically Removed from the Chamber After Being Named by the Speaker* (1944-1982).

4.5 Justification for the Revisions

i. Justification for Structured Speaking Time Allocations

The implementation of structured speaking time allocations is essential for maintaining legislative efficiency and ensuring equitable participation in parliamentary debates. The current approach under Order 55, which imposes a rigid forty-minute speaking limit, prevents prolonged monopolization of the floor but may not adequately accommodate varying levels of debate complexity²⁶⁶. A more dynamic system, such as a tiered approach where major bills receive extended time while routine matters are given shorter limits, would enhance parliamentary discourse without compromising efficiency.

Comparative legislative practices indicate that flexibility in debate duration is crucial for effective deliberation. For instance, the U.S. Senate allows extended discussions through the filibuster but also has the cloture mechanism to curtail debates when necessary. The introduction of a similar mechanism within the Senate would allow for extensive discussion when required while ensuring that legislative progress is not hindered by indefinite deliberations. Research by Proksch & Slapin²⁶⁷ suggests that structured speaking times enhance deliberative quality by ensuring focused contributions. Additionally, Sieberer et al.²⁶⁸ argue that adjusting speaking time based on legislative priorities prevents domination by a few voices and fosters more inclusive participation.

²⁶⁶ Nigerian Senate Standing Orders 2023(as amended), Order 53 (Order of Speaking)

²⁶⁷ Proksch S-O and Slapin J B, *The Politics of Parliamentary Debate: Parties, Rebels and Representation* (Cambridge University Press 2015).

²⁶⁸ Sieberer U, Dutkowski J F, Meißner P and Müller W C, *Going Institutional to Overcome Obstruction: Explaining the Suppression of Minority Rights in Western European Parliaments, 1945–2010* (2020).908.

ii. Justification for Strengthening Mechanisms for Maintaining Decorum

Maintaining decorum in legislative debates is critical for ensuring productive discussions and preserving the integrity of parliamentary proceedings. However, the Nigerian Senate's Order 56, which addresses disorderly conduct, primarily functions as a reactive measure rather than a preventive one. This creates inconsistencies in enforcing decorum, as its application depends largely on the discretion of the presiding officer, leading to potential bias and inefficiencies. The lack of structured enforcement mechanisms makes it challenging to regulate adherence to speaking times, ensure fair recognition of speakers, and address disruptions in real time.

International legislative practices highlight the role of structured decorum enforcement in enhancing parliamentary efficiency. Parliaments in the UK and Canada, for example, have successfully integrated technological systems to monitor and regulate speaking times, ensuring fairness and reducing disruptions²⁶⁹. Studies suggest that digital tools improve transparency, prevent bias, and minimize human error, thereby maintaining orderly legislative debates²⁷⁰. Through continuous learning, from other developed democratic nations, the Nigerian Senate can modernize its decorum enforcement mechanisms, enhancing the quality of its deliberations.

Additionally, public trust in legislative institutions is closely tied to the orderliness of proceedings. Research by Bakare and Bello²⁷¹ emphasizes that when parliamentary debates are structured and free from disorder, citizens perceive their representatives as more credible and the political system

²⁶⁹ Kelly, R., Curtis, J., Fella, S., Mills, C., & Smith, B. *Coronavirus: Changes to practice and procedure in the UK and other parliaments*. House of Commons Library (2020).

²⁷⁰ Shkabatur, J. (2012). Transparency with (out) accountability: Open government in the United States. *Yale L. & Pol'y Rev.*, 31, 79.

²⁷¹ Bakare, Adebola Rafiu, and Muhammed Lawan Bello. "Reforming the Nigerian National Assembly for legislative effectiveness: Issues, constraints and way-forward." *Acta Universitatis Danubius. Administratio* 12, no. 1 (2020).

as more legitimate. The lack of effective decorum mechanisms in the Nigerian Senate risks diminishing public confidence in legislative processes, further underscoring the need for reform.

iii. Justification for the Establishment of Thematic Debate Sessions

The Nigerian Senate's Standing Orders mandate that senators must remain focused on the subject under discussion and avoid introducing irrelevant matters. However, the absence of structured thematic debate sessions often results in broad, unfocused discussions that may fail to adequately address critical policy areas. Implementing dedicated thematic debates would enhance legislative deliberations by allowing deeper and more structured discussions on key national issues.

International legislative bodies have demonstrated the effectiveness of thematic debates in improving parliamentary focus and decision-making. The United Nations General Assembly regularly organizes high-level thematic debates, providing a structured platform for addressing pressing global issues²⁷². Similarly, the Parliament of Luxembourg conducts major debates in plenary sessions to guide European-level decisions, ensuring that discussions remain relevant and impactful²⁷³. These models illustrate how thematic sessions can refine legislative focus and facilitate more substantive policymaking.

Empirical research supports the effectiveness of issue-based debates in legislative bodies. A study on parliamentary debates in Victoria, Australia, found that structured thematic sessions allowed legislators to gain a more comprehensive understanding of complex policy matters, leading to better-informed legislative outcomes. Likewise, the Portuguese Assembly of the Republic utilizes thematic debates to allow parliamentary groups to propose discussions on sectoral policies,

²⁷² United Nations. (2014). *UN General Assembly Thematic Debate*.

²⁷³ Chambre des Députés. (n.d.). *Major debates in plenary session*.

²⁷³ Mackieson P, Shlonsky A and Connolly M, Informing Permanent Care Discourses: A Thematic Analysis of Parliamentary Debates in Victoria (The British Journal of Social Work 2018).

fostering a more organized and deliberate legislative process²⁷⁴. These examples demonstrate that thematic debates prevent distractions, promote depth, and ensure that legislative discourse remains solution-oriented.

iv. Justification for Strengthening Points of Order for Effective Debate Regulation

The current formulation of Order 43 in the Nigerian Senate Standing Orders limits its effectiveness in regulating parliamentary debates by restricting Senators to making personal explanations without introducing new or contentious matters. While this provision allows members to clarify personal points, it does not explicitly empower them to raise procedural concerns or challenge breaches of the Standing Orders in real-time²⁷⁵. This limitation weakens the enforcement of debate regulations and allows procedural violations to go unaddressed, thereby affecting the efficiency and fairness of legislative proceedings.

Parliamentary systems worldwide emphasize the role of points of order in ensuring adherence to legislative rules. For instance, in the U.S. House of Representatives, members can raise points of order to object to legislation or actions that violate established parliamentary norms, thereby maintaining procedural discipline²⁷⁶. Similarly, the Belizean Senate has structured guidelines for maintaining decorum, with Standing Orders explicitly assigning responsibility for order and ensuring procedural adherence²⁷⁷. By contrast, the Nigerian Senate's limited scope for points of order means that rule violations may not be immediately addressed, undermining the integrity of the legislative process. Strengthening Order 43 to allow Senators to raise points of order would

²⁷⁴ Assembleia da República, Competences (n.d.).

²⁷⁵ Policy and Legal Advocacy Centre (PLAC). (2015). *Senate Standing Orders 2023(as amended)*.

²⁷⁶ U.S. House of Representatives. (2011). *House Practice: A Guide to the Rules, Precedents and Procedures of the House*

²⁷⁷ National assembly of Belize, Standing Orders of the Senate Available at: <https://www.nationalassembly.gov.bz/wp-content/uploads/2021/05/Standing-Orders-of-the-Senate.pdfm>

enhance procedural oversight and prevent the monopolization of debates by individuals who may engage in disorderly conduct.

v. Justification for the Electronic Voting System

The reliance on traditional voting methods, such as voice votes and division votes, in the Nigerian Senate presents significant limitations in terms of transparency, efficiency, and accuracy. Orders 71–75 of the Senate Standing Orders (2015, as amended) establish these methods, but their effectiveness is hindered by subjective interpretation, particularly in voice votes, where the Presiding Officer’s judgment determines the outcome (National Assembly of Nigeria, 2015)²⁷⁸. This approach can lead to ambiguities, especially in closely contested votes, and lacks a verifiable record of individual voting behavior, reducing accountability in legislative decision-making.

Research highlights the shortcomings of voice voting. Davidson et al.²⁷⁹ noted that in the U.S. Congress, voice votes are generally reserved for procedural matters rather than substantive legislative decisions due to their imprecision. Similarly, Proksch & Slapin²⁸⁰ identified concerns about the reliability of voice votes, emphasizing that they may not accurately capture the majority’s will. To address these limitations, legislative bodies worldwide have adopted electronic voting systems, ensuring transparency, accuracy, and efficiency in decision-making.

The adoption of electronic voting in legislative institutions has demonstrated substantial improvements in procedural efficiency. Following the Legislative Reorganization Act of 1970, the U.S. House of Representatives introduced an electronic voting system in 1973, significantly reducing the time required to tally votes and eliminating human errors associated with manual

²⁷⁸ Nigerian Senate Standing Orders 2023(as amended), Order 73 (Voting Methods)

²⁷⁹ Davidson R H, Oleszek W J, Lee F E and Schickler E, Congress and Its Members (CQ Press 2019).

²⁸⁰ Proksch S-O and Slapin J B, The Politics of Parliamentary Debate: Parties, Rebels and Representation (Cambridge University Press 2015).

counting²⁸¹. Additionally, the European Parliament has explored electronic voting as a means to enhance vote security and streamline legislative processes, emphasizing the need for careful system design to maintain the integrity of the voting process²⁸². These precedents illustrate the benefits of electronic voting in modern legislative systems and provide a compelling case for its adoption in the Nigerian Senate.

vi. **Justification for Roll Call Voting System**

The current division voting procedure in the Nigerian Senate, as outlined in Order 73 of the Senate Standing Orders 2023 (as amended), involves Senators physically positioning themselves to indicate their votes, followed by a manual tally conducted by the Clerk²⁸³. While this method has historically facilitated legislative decisions, it presents significant challenges, including delays in vote counting, potential inaccuracies in tallying, and a lack of an easily accessible public voting record. As legislative institutions worldwide evolve towards more efficient and transparent processes, it is essential for the Nigerian Senate to adopt best practices that enhance accountability and streamline decision-making.

One such practice is the implementation of roll call voting, a system where each Senator's vote is recorded individually and publicly, typically through verbal confirmation. This approach ensures that all votes are accounted for in a clear and indisputable manner, reducing opportunities for errors or procedural manipulations²⁸⁴. According to Poole and Rosenthal²⁸⁵, roll call votes are a critical tool in legislative transparency, as they allow for an in-depth analysis of voting behaviors and

²⁸¹ Congressional Research Service. (2011). *Electronic Voting System in the House of Representatives*.

²⁸² European Parliament. (2016). *Potential and Challenges of E-Voting in the European Union*

²⁸³ Nigerian Senate Standing Orders 2023(as amended), Order 73 (Voting Methods)

²⁸⁴ Poole K T and Rosenthal H, Congress: A Political-Economic History of Roll Call Voting (Oxford University Press 2000).

²⁸⁵ Ibid

political alignments. In the United States Congress, roll call votes serve as a fundamental component of the decision-making process, providing clear documentation of each legislator's stance on policy matters²⁸⁶. This method not only reinforces accountability but also strengthens the legitimacy of legislative actions.

Similarly, the European Parliament employs roll call voting to maintain transparency and ensure that members' legislative positions are accessible to the public. Research by Hix et al.²⁸⁷ highlights that roll call voting enables the monitoring of individual and party group behaviors, thereby reinforcing institutional integrity. The integration of this method within the Nigerian Senate would align its procedures with global best practices, promoting a system where legislative votes are recorded systematically and made publicly available.

vii. Justification for the Establishment and Composition of Committees

Committees serve as the foundation of legislative efficiency by allowing lawmakers to engage in detailed scrutiny of bills, government policies, and oversight functions. Their structured nature ensures that legislative work is conducted with the necessary depth and expertise. The Nigerian Senate's Standing Orders mandate the establishment of committees within the first fourteen legislative days of a new session, enabling an early start to legislative oversight and policymaking. This approach aligns with global best practices, as timely committee formation is critical for a functional and responsive legislature.

The composition of committees in the Nigerian Senate is designed to balance efficiency with effective representation, stipulating that each committee must have between nine and thirteen

²⁸⁶ Morgenstern S, *Patterns of Legislative Politics: Roll-Call Voting in Latin America and the United States* (Cambridge University Press 2003).

²⁸⁷ Hix S, Noury A and Roland G, *Dimensions of Politics in the European Parliament* (American Journal of Political Science 2006).

Senators, with individual Senators restricted to serving on a maximum of three committees. This limitation is intended to prevent excessive workloads and conflicts of interest, allowing for more focused and productive engagement. Research by Oleszek et al.²⁸⁸ highlights that in the U.S. Senate, while lawmakers often serve on multiple committees, excessive commitments can lead to divided attention and inefficiencies. Similarly, Franks²⁸⁹ notes that the Canadian House of Commons ensures proportional representation in committees to maintain a balance of political perspectives, promoting comprehensive deliberations and reducing partisan biases.

The United Kingdom's House of Commons follows a more autonomous model, where committees are established based on subject matter expertise, and members have the authority to conduct inquiries independently²⁹⁰. This system enhances investigative capacity and ensures that committees can operate without undue political interference. Nigeria's structured committee system, while effective in preventing overburdening lawmakers, could benefit from adopting elements of these international models. A more flexible approach, similar to the U.S., could allow Senators with specialized knowledge in multiple areas to contribute more meaningfully. Additionally, incorporating Canada's emphasis on proportional representation could enhance the role of opposition parties in legislative oversight, while greater committee autonomy, as seen in the UK, could improve investigative efficiency and policy evaluations.

viii. Justification for Committee Leadership and Membership Selection

The process of selecting committee leadership and membership is fundamental to ensuring effective legislative oversight, accountability, and fair representation. In the Nigerian Senate, this

²⁸⁸ Oleszek W J, Oleszek M J, Rybicki E and Heniff Jr B, *Congressional Procedures and the Policy Process* (CQ Press 2015).

²⁸⁹ Franks C E, *The Parliament of Canada* (University of Toronto Press 1987).

²⁹⁰ Norton P, *Parliament in British Politics* (Bloomsbury Publishing 2013).

selection is conducted by the Senate President in consultation with party leaders, with the aim of maintaining a balance across political affiliations and regional representation²⁹¹. While this approach ensures inclusivity in legislative decision-making, it has been criticized for being overly centralized and potentially biased toward the ruling party. According to Mezey²⁹², centralized committee appointments in legislative bodies often lead to executive dominance, reducing the independence and effectiveness of committees in scrutinizing government actions.

Different legislative bodies adopt varying methods of committee selection to enhance transparency and efficiency. In the United States Congress, committee chairmanship is determined primarily based on seniority within the majority party²⁹³. This system fosters experience and expertise but can also entrench long-term dominance by certain lawmakers, limiting fresh perspectives in legislative leadership. By contrast, the United Kingdom's House of Commons employs a more democratic approach, where committee chairs are elected through a secret ballot by all members of Parliament, rather than being appointed by party leaders²⁹⁴. This election-based system enhances transparency and merit-based leadership selection, reducing executive influence over committee operations.

Similarly, Canada employs a hybrid model in which party whips negotiate committee assignments to ensure proportional representation across political parties²⁹⁵. This model allows for a balance between government and opposition interests, preventing the over-concentration of power within a single political faction. The Nigerian Senate could benefit from incorporating elements of these

²⁹¹ Nigerian Senate Standing Orders 2023(as amended), Orders 97 (Committee of Selection)

²⁹² Mezey M L, *Comparative Legislatures* (1979).

²⁹³ Smith S S, Roberts J M and Vander Wielen R J, *The American Congress* (Cambridge University Press 2013).

²⁹⁴ Russell M, *The Contemporary House of Lords: Westminster Bicameralism Revived* (Oxford University Press 2013).

²⁹⁵ Franks C E, *The Parliament of Canada* (University of Toronto Press 1987).

systems particularly by allowing committee chairs to be elected rather than appointed to enhance democratic governance and reduce political interference.

The replacement of committee members in the Nigerian Senate follows a party-nomination process, where a Senator discharged from a committee is replaced by another nominee from their party, subject to Senate approval. While this practice ensures party loyalty, it may hinder the independence and effectiveness of committee operations. In contrast, the U.S. Congress allows greater flexibility, permitting voluntary resignations and reassignments based on expertise and workload considerations²⁹⁶. Similarly, in the UK, committee membership adjustments are made based on legislative demands and individual competencies rather than strict party control²⁹⁷. Refining the Nigerian Senate's selection and replacement procedures by incorporating these best practices could improve committee effectiveness, accountability, and overall legislative independence.

ix. Justification for Structured Clear Due Process for Suspension

A well-defined due process for suspension in the Nigerian Senate is essential to uphold fairness, transparency, and the protection of individual rights. Currently, while Order 67 outlines general disciplinary measures, the absence of explicit procedural safeguards increases the risk of arbitrary or politically motivated suspensions. Due process ensures that disciplinary actions follow a structured, fair, and transparent approach, reducing the potential for abuse of power and maintaining public trust in legislative institutions. Without such safeguards, legislative discipline

²⁹⁶ Davidson R H, Oleszek W J, Lee F E and Schickler E, Congress and Its Members (CQ Press 2019).

²⁹⁷ Russell M, The Contemporary House of Lords: Westminster Bicameralism Revived (Oxford University Press 2013).

may be perceived as a tool for political repression rather than a mechanism for ensuring order and decorum²⁹⁸.

The principle of procedural due process is widely recognized in democratic governance as a means to protect individuals from unjust punitive actions. Fallon²⁹⁹ asserts that due process is integral to both substantive fairness and procedural integrity, ensuring that government actions remain legitimate and justifiable. In the legislative context, Luban³⁰⁰ highlights that due process mechanisms prevent majoritarian dominance and safeguard individual rights, particularly in disciplinary proceedings where political motivations may influence decisions. Given these concerns, the Nigerian Senate must adopt explicit procedural safeguards that require thorough investigations, independent reviews, and avenues for appeal before any suspension is enforced.

Comparative legislative practices further support the need for a structured due process. In the United States, the Fifth and Fourteenth Amendments mandate that no person can be deprived of their rights without due process of law, a principle applied to congressional disciplinary actions³⁰¹. The U.S. Congress ensures procedural fairness by granting accused members a hearing, the right to present a defense, and an independent ethics committee review before any suspension or expulsion is enacted³⁰². Similarly, the United Kingdom's parliamentary system requires that suspension motions undergo debate, allowing members to contest disciplinary measures and seek redress³⁰³. In Canada, procedural fairness is a legislative standard, ensuring that disciplinary

²⁹⁸ Mashaw J L, *Due Process in the Administrative State* (1985).

²⁹⁹ Fallon Jr R H, *The Rule of Law as a Concept in Constitutional Discourse* (Columbia Law Review 1997).

³⁰⁰ Luban D, *Lawyers and Justice: An Ethical Study* (Princeton University Press 1988).

³⁰¹ Fallon Jr R H, *The Rule of Law as a Concept in Constitutional Discourse* (Columbia Law Review 1997).

³⁰² Mantel, J. *Procedural Safeguards for Agency Guidance: A Source of Legitimacy for the Administrative State. (Admin. L. 2009).*

³⁰³ Russell M, *The Contemporary House of Lords: Westminster Bicameralism Revived* (Oxford University Press 2013).

actions are subject to review and that members have access to legal representation³⁰⁴. These international examples illustrate the importance of due process in preventing arbitrary disciplinary actions and ensuring that legislative decisions are guided by fairness and accountability.

x. Justification for the Establishment of a Senate Disciplinary Committee

The establishment of a Senate Disciplinary Committee in Nigeria is essential for promoting fairness, transparency, and institutional accountability in legislative discipline. The current reliance on the discretionary power of the Senate President in disciplinary matters, particularly suspensions, creates significant risks of bias, abuse of authority, and politically motivated decisions. In a democratic legislature, no single individual should have unchecked authority over disciplinary actions, as this contradicts the principles of fairness and due process³⁰⁵. Legal scholars have long argued that excessive discretionary power in legislative settings undermines credibility and public trust in parliamentary institutions. Bagehot³⁰⁶ warned that centralizing disciplinary authority in one officeholder could lead to arbitrary governance, reducing the legitimacy of the institution. Similarly, Waldron (1999) emphasizes that decision-making in democratic legislatures must be guided by clear guidelines rather than subjective interpretations by a single authority.

International best practices demonstrate the effectiveness of independent disciplinary committees in maintaining legislative integrity. In the United States, disciplinary actions are referred to the House Ethics Committee, which conducts investigations and makes recommendations before any sanctions are imposed³⁰⁷. This ensures that disciplinary processes are based on objective standards of conduct rather than political considerations. Likewise, in the United Kingdom, the Committee

³⁰⁴ Franks C E, *The Parliament of Canada* (University of Toronto Press 1987).

³⁰⁵ Dicey A V, *Introduction to the Study of the Law of the Constitution* (Macmillan 1885).

³⁰⁶ ³⁰⁶ Bagehot W, *The English Constitution* (Oxford University Press 2001).

³⁰⁷ Ethics; Committee on Ethics. Available at: <https://www.govinfo.gov/content/pkg/GPO-HPRACTICE-115/pdf/GPO-HPRACTICE-115-26.pdf>

on Standards independently assesses misconduct allegations and provides recommendations, preventing the Speaker of the House of Commons from exercising unilateral disciplinary power³⁰⁸. Canada also follows a similar approach, requiring all disciplinary proceedings to go through a parliamentary committee review before final action is taken³⁰⁹.

Given these precedents, Nigeria's Senate would benefit from establishing a dedicated disciplinary committee responsible for reviewing misconduct cases. Such a committee should be composed of members from multiple political parties to ensure impartiality and objectivity. Therefore, the Nigerian senate can enhance its level of transparency, reduce the potential for politically motivated suspensions, and strengthen democratic governance through decentralizing disciplinary authority.

4.6 Expected impact on parliamentary performance

4.6.1 Expected Impact of Structured Speaking Time Allocations on Parliamentary Performance

The introduction of structured speaking time allocations will enhance legislative efficiency by ensuring that parliamentary debates are well-organized and productive. Allocating speaking times based on the significance of the subject, will allow a more structured discussion, reducing unnecessary delays and enabling the timely passage of bills. This approach prevents debates from becoming excessively long while ensuring that critical issues receive adequate discussion.

A tiered system will promote balanced representation within the Senate by allowing both majority and minority voices to be heard without enabling prolonged speeches to obstruct proceedings. By preventing the monopolization of debates by a few dominant voices, the system will ensure that

³⁰⁸ Russell M, *The Contemporary House of Lords: Westminster Bicameralism Revived* (Oxford University Press 2013).

³⁰⁹ Franks C E, *The Parliament of Canada* (University of Toronto Press 1987).

all Senators have a fair opportunity to contribute to discussions. This aligns with findings by Sieberer et al.³¹⁰, who emphasize that tailored time allocations foster inclusivity and prevent legislative inefficiencies.

Furthermore, structured speaking times will improve deliberative quality by encouraging legislators to present well-reasoned arguments within their allotted time, rather than extending debates unnecessarily. Proksch and Slapin³¹¹ highlight that when speaking times are adjusted according to the importance of the subject matter, parliamentary debates become more substantive and contribute to better-informed decision-making.

Another significant impact will be on legislative productivity, as the introduction of a cloture mechanism will help prevent filibustering and unnecessary delays. Imre et al.³¹² highlight that such procedural tools are crucial in ensuring legislative progress while safeguarding democratic inclusivity. This will enable the Senate to efficiently manage debates without compromising the depth of discussions.

Finally, adopting a structured yet flexible speaking time allocation system will align the Senate with international best practices, improving its overall functionality. Thus, the Senate will modernize its approach to debate management, leading to a more effective and responsive legislative process through incorporating procedures similar to those used in other democratic legislatures.

³¹⁰ Sieberer U, Dutkowski J F, Meißner P and Müller W C, *Going Institutional to Overcome Obstruction: Explaining the Suppression of Minority Rights in Western European Parliaments, 1945–2010* (2020).

³¹¹ Proksch S-O and Slapin J B, *The Politics of Parliamentary Debate: Parties, Rebels and Representation* (Cambridge University Press 2015).

³¹² Imre M, Ecker A, Meyer T M and Müller W C, *Coalition Mood in European Parliamentary Democracies* (British Journal of Political Science 2023).

4.6.2 Expected Impact of Strengthening Mechanisms for Maintaining Decorum on Parliamentary Performance

The implementation of strengthened decorum mechanisms, particularly through technological integration, is expected to enhance procedural efficiency by reducing disruptions and ensuring that debates remain structured. The adoption of digital tools for timekeeping, speaker recognition, and real-time decorum alerts, can potentially translate into effectively managed proceedings, minimizing inefficiencies associated with manual enforcement.

A more structured decorum system will also promote fairness and inclusivity, ensuring that all Senators have equitable opportunities to participate in debates. The use of automated speaker recognition and time-tracking systems will help prevent potential biases in recognizing members, fostering a more transparent and accountable legislative environment.

Furthermore, strengthening decorum mechanisms will increase legislative productivity by reducing the time lost to disorderly conduct and procedural disputes. When legislative debates proceed smoothly, the Senate can focus more on substantive discussions, leading to better policy outcomes and more effective governance.

Lastly, improved decorum will boost public trust and institutional credibility. When parliamentary sessions are orderly and transparently managed, citizens are more likely to perceive their representatives as competent and their government as legitimate (Rios, 2019). By aligning its decorum mechanisms with international best practices, the Nigerian Senate will not only enhance its internal efficiency but also improve its public perception and overall governance effectiveness.

4.6.3 Expected Impact of Establishment of Thematic Debate Sessions on Parliamentary Performance

The implementation of structured thematic debate sessions is expected to improve legislative efficiency by ensuring that discussions remain focused and productive. The Senate can potentially avoid time-consuming, unfocused debates and instead facilitate deeper analysis of legislative issues. This would lead to well-informed decision-making and more effective policy outcomes.

Additionally, thematic debates will enhance the quality of legislative deliberations by encouraging thorough discussions based on research and expert contributions. When senators are given dedicated time to debate specific policy matters, they are more likely to prepare adequately, leading to more substantive contributions and well-structured legislative discourse. This approach aligns with best practices in other legislative bodies, such as the Portuguese and Luxembourg parliaments, where structured debates have improved the depth of policy discussions³¹³.

Moreover, the introduction of thematic debates will increase public engagement and transparency. When parliamentary discussions are structured around specific themes, the public can follow and contribute more effectively to legislative debates, fostering greater civic participation. Citizens will have a clearer understanding of when particular policy issues are being discussed, allowing them to engage with their representatives more strategically. This will ultimately strengthen the relationship between the government and the public, improving trust in the legislative process.

Finally, structured thematic debates will facilitate better inter-agency and expert collaboration, as policymakers will have clearer platforms to invite subject-matter experts, industry leaders, and relevant stakeholders to provide input on specific policy areas. This will ensure that legislative

³¹³ Assembleia da República. (n.d.). Competences

decisions are evidence-based and aligned with national development goals. By adopting this approach, the Nigerian Senate can modernize its debate structure, improve legislative productivity, and enhance the credibility of its decision-making processes.

4.6.4 Expected Impact of Strengthening Points of Order for Effective on Parliamentary Performance

Strengthening the provisions for raising points of order is expected to enhance procedural discipline and fairness in Senate debates. Allowing Senators to intervene in real-time when rules are breached will create a more structured and accountable debating environment. This will prevent procedural violations from going unchecked and ensure that all members adhere to established parliamentary guidelines. Additionally, a stronger points-of-order mechanism will improve the efficiency of legislative proceedings. Creating an avenue where Senators to challenge irrelevant or obstructive contributions, debates can remain focused on substantive issues, minimizing unnecessary delays. This approach aligns with international best practices where structured debate regulations promote time management and productivity³¹⁴.

Moreover, reinforcing points of order will strengthen the role of the Presiding Officer in maintaining order. With clearer provisions for raising objections, the Presiding Officer will have a more defined mandate to enforce procedural rules and ensure fairness in debate participation. This will contribute to greater transparency and accountability in legislative decision-making. Finally, an improved points-of-order framework will enhance public trust in the legislative process. When parliamentary debates are well-regulated and free from procedural violations, the

³¹⁴ Oleszek W J, Oleszek M J, Rybicki E and Heniff Jr B, Congressional Procedures and the Policy Process (CQ Press 2015).

public is more likely to perceive legislative proceedings as fair, credible, and result-oriented. This will not only improve the Senate's reputation but also reinforce democratic governance in Nigeria.

4.6.5 Expected Impact on Electronic Voting System Parliamentary Performance

The implementation of an electronic voting system in the Nigerian Senate is expected to enhance the transparency and credibility of legislative decisions. Electronic voting will ensure that Senators are held accountable for their decisions, thereby strengthening democratic governance and public trust in the legislative process. Additionally, electronic voting will potentially improve efficiency. This can be achieved by expediting the voting process. Traditional voting methods, particularly division votes, can be time-consuming, delaying legislative proceedings. A digital system will allow for instant vote tabulation, enabling the Senate to manage its time more effectively and allocate more attention to substantive policy discussions.

Furthermore, the introduction of a secure electronic voting system will minimize errors and discrepancies in vote counting. As seen in India's electoral system, where Electronic Voting Machines (EVMs) have successfully handled large-scale elections with high voter turnout, an electronic system in the Nigerian Senate will reduce human errors and the possibility of vote manipulation³¹⁵. This will lead to more accurate and fair legislative outcomes.

Finally, ensuring that the electronic voting system incorporates robust security measures will safeguard against unauthorized access and cyber threats. The European Parliament has underscored the importance of meticulous system design to prevent vulnerabilities that could compromise the voting process³¹⁶. By implementing a secure and transparent system, the Nigerian

³¹⁵ Election Commission of India, *Report on the General Elections 2019* (New Delhi: ECI 2019).

³¹⁶ European Parliament, *Potential and Challenges of E-Voting in the European Union* (2016).

Senate can modernize its voting procedures while maintaining the integrity of its legislative decisions.

4.6.6 Expected Impact of Roll Call Voting System on Parliamentary Performance

The adoption of roll call voting in the Nigerian Senate would significantly enhance legislative efficiency, transparency, and public trust. One of the primary benefits of this system is its ability to provide a verifiable and auditable record of individual votes, allowing constituents to assess the performance of their elected representatives. As emphasized by Shkabatur³¹⁷, public access to legislative voting records fosters a culture of accountability, ensuring that lawmakers are answerable for their decisions. Additionally, roll call voting would reduce disputes over vote counts and eliminate ambiguities associated with traditional voice or division voting. In closely contested legislative matters, where minor discrepancies can have substantial implications, roll call voting ensures an objective and definitive outcome. Davidson et al.³¹⁸ note that the U.S. Congress relies on roll call votes to prevent potential manipulations in tight votes, thereby preserving the integrity of the decision-making process.

Furthermore, integrating roll call votes would improve legislative analysis and research by enabling scholars, policymakers, and civil society organizations to assess voting patterns and trends. As seen in the European Parliament, where roll call voting facilitates the study of party cohesion and ideological divisions, a similar system in Nigeria would offer valuable insights into

³¹⁷ Shkabatur, J. (2012). Transparency with (out) accountability: Open government in the United States. *Yale L. & Pol'y Rev.*, 31, 79.

³¹⁸ Davidson R H, Oleszek W J, Lee F E and Schickler E, Congress and Its Members (CQ Press 2019).

legislative dynamics³¹⁹. This would contribute to more informed political discourse and policy development.

Overall, transitioning to roll call voting would modernize the Nigerian Senate's legislative process, ensuring that decisions are made efficiently, transparently, and in line with democratic principles. By strengthening procedural integrity and fostering greater public engagement, this reform would contribute to a more accountable and effective legislative institution.

4.6.7 Expected Impact of the Establishment and Composition of Committees on Parliamentary Performance

A well-structured committee system enhances legislative efficiency by ensuring that bills, policies, and government programs receive rigorous scrutiny before being brought to the full chamber. The Nigerian Senate can ensure a more systematic and specialized approach to governance, leading to improved policymaking and oversight. Research by Metz³²⁰ shows that committees improve legislative output by allowing members to develop expertise in particular policy areas, thereby leading to more informed decision-making.

The composition of committees also directly impacts legislative accountability. By restricting the number of committees a Senator can serve on, Nigeria's model promotes dedication and expertise, ensuring that members focus on their assigned responsibilities. Oleszek et al.³²¹ argue that excessive committee memberships can dilute a lawmaker's effectiveness, making Nigeria's approach beneficial in preventing divided attention. Moreover, adopting proportional

³¹⁹ Hix S, Noury A and Roland G, Dimensions of Politics in the European Parliament (American Journal of Political Science 2006).

³²⁰ Metz, J. (2014). EU Commission expert groups between inclusive and effective policy-making. *Expertise and democracy*, 263-291.

³²¹ Oleszek W J, Oleszek M J, Rybicki E and Heniff Jr B, Congressional Procedures and the Policy Process (CQ Press 2015).

representation in committee formation, as seen in Canada, could ensure that minority parties have a meaningful role in legislative deliberations, fostering greater bipartisanship and reducing political conflicts³²².

An enhanced committee structure with greater autonomy, akin to the UK's system, would further strengthen parliamentary performance by empowering committees to conduct independent inquiries, summon witnesses, and propose policy recommendations without undue bureaucratic constraints³²³. This would lead to more proactive legislative oversight and reduce delays in addressing national concerns.

Overall, refining the establishment and composition of committees in the Nigerian Senate by integrating best practices from other legislative bodies would enhance legislative efficiency, accountability, and responsiveness. A more flexible, inclusive, and autonomous committee system would ensure that the Senate is better equipped to address complex policy issues and hold the executive accountable.

4.6.8 Expected Impact of Committee Leadership and Membership Selection on Parliamentary Performance

A transparent and merit-based approach to committee leadership and membership selection would enhance the effectiveness and credibility of the Nigerian Senate. Legislative committees would operate with greater independence, allowing for more rigorous oversight of government activities by reducing executive dominance in appointments. Research by Russell³²⁴ highlights that elected committee chairs in the UK Parliament have significantly strengthened the scrutiny functions of

³²² Franks C E, *The Parliament of Canada* (University of Toronto Press 1987).

³²³ Norton P, *Parliament in British Politics* (Bloomsbury Publishing 2013).

³²⁴ Russell M, *The Contemporary House of Lords: Westminster Bicameralism Revived* (Oxford University Press 2013).

committees, as members feel more accountable to their peers rather than to party leadership. A similar system in Nigeria could improve committee autonomy, fostering a more robust checks-and-balances framework within the legislature.

Implementing a more inclusive and expertise-driven approach to committee membership selection would also improve legislative productivity. Studies on the U.S. Congress show that when lawmakers are assigned to committees based on their expertise rather than political patronage, their contributions to policymaking are more substantive and informed³²⁵. Adopting this model in Nigeria where committee assignments prioritize legislative competence would enhance the quality of deliberations and policy recommendations.

Moreover, the introduction of a more flexible committee replacement process could enhance institutional stability. Legislative research suggests that rigid party control over committee assignments can hinder adaptability in responding to emerging policy challenges³²⁶. Thus, Nigeria's legislative committees could become more dynamic and responsive to national needs if it allows voluntary committee resignations and reassignments based on workload and subject-matter expertise, as practiced in the U.S. and UK.

Ultimately, reforming the committee leadership and membership selection process in the Nigerian Senate by incorporating international best practices would strengthen legislative oversight, enhance parliamentary independence, and improve governance accountability. A more transparent, inclusive, and expertise-driven committee system would contribute to a more effective and credible parliamentary process.

³²⁵ Davidson R H, Oleszek W J, Lee F E and Schickler E, *Congress and Its Members* (CQ Press 2019).

³²⁶ Mezey M L, *Comparative Legislatures* (1979).

4.6.9 Expected Impact of Structured Clear Due Process for Suspension on Parliamentary Performance

Implementing a structured due process for suspensions in the Nigerian Senate would significantly enhance legislative fairness, accountability, and institutional credibility. Potentially, the Senate would foster greater trust among lawmakers, encouraging constructive engagement rather than fear of political reprisals by ensuring that disciplinary actions follow clear procedural guidelines. Research on legislative ethics indicates that procedural safeguards improve compliance with parliamentary rules while minimizing the risk of politically motivated disciplinary measures³²⁷. Establishing an independent ethics committee to oversee disciplinary matters would further enhance transparency and ensure impartiality in enforcement.

A well-structured disciplinary process also contributes to institutional stability by preventing arbitrary suspensions that may disrupt parliamentary proceedings. In legislative systems where due process is strictly enforced, such as in the U.S. and U.K., disciplinary actions are more likely to be respected by members, reducing tensions and fostering a culture of accountability³²⁸. The ability to challenge suspensions through an independent review process would also encourage greater adherence to Senate rules, as members would recognize the legitimacy of disciplinary measures imposed through a fair process.

Furthermore, procedural clarity in suspensions reinforces democratic principles by ensuring that all Senators, regardless of political affiliation, are treated equitably. In Canada, procedural safeguards in parliamentary discipline have been shown to improve legislative cooperation and

³²⁷ Mantel, J. Procedural Safeguards for Agency Guidance: A Source of Legitimacy for the Administrative State. (*Admin. L.* 2009).

³²⁸ Russell M, The Contemporary House of Lords: Westminster Bicameralism Revived (Oxford University Press 2013).

reduce partisan conflicts³²⁹. The Nigerian Senate would strengthen its commitment to democratic governance, demonstrating that disciplinary measures are implemented based on objective standards rather than political considerations.

Overall, the introduction of a structured due process for suspensions would elevate the Nigerian Senate's reputation, both domestically and internationally, as a legislative body committed to fairness, transparency, and accountability. Adopting best practices from other democratic legislatures would ensure that the Senate functions as a credible institution where disciplinary actions are enforced justly and without bias.

4.7 Expected Impact of the Establishment of a Senate Disciplinary Committee on Parliamentary Performance

The creation of a Senate Disciplinary Committee would significantly enhance parliamentary performance by fostering accountability, fairness, and institutional stability. A structured disciplinary process that involves a committee rather than an individual authority figure ensures that disciplinary decisions are made through collective deliberation rather than political influence. Research on legislative procedures suggests that independent oversight mechanisms improve the legitimacy of disciplinary actions, increasing compliance with parliamentary rules³³⁰. When lawmakers perceive the disciplinary process as fair and impartial, they are more likely to respect institutional norms and adhere to ethical standards.

Additionally, a Senate Disciplinary Committee would promote legislative efficiency by reducing internal conflicts arising from perceptions of bias in disciplinary actions. In countries such as the United States and the United Kingdom, independent committees have been instrumental in

³²⁹ Franks C E, *The Parliament of Canada* (University of Toronto Press 1987).

³³⁰ Kernaghan, P, *Review of the Independent Complaints and Grievance Scheme (ICGS)*. (UK Parliament 2024).

minimizing partisan disputes related to disciplinary measures, allowing legislatures to focus on policy-making rather than internal power struggles³³¹. By implementing a similar structure, the Nigerian Senate can ensure that legislative debates and decision-making processes remain focused on national development rather than personal or political grievances.

Furthermore, an independent disciplinary committee would enhance Nigeria's democratic credibility both domestically and internationally. Legislatures that uphold transparent disciplinary mechanisms are often seen as more credible and effective in governance. The Canadian parliamentary system, for example, has gained recognition for its commitment to procedural fairness in legislative discipline, contributing to greater public confidence in its institutions³³². Adopting a similar approach in Nigeria would demonstrate a commitment to democratic best practices, improving the Senate's reputation and reinforcing public trust in the legislative process.

Ultimately, the establishment of a Senate Disciplinary Committee would not only safeguard against arbitrary decision-making but also improve overall parliamentary decorum, enhance productivity, and reinforce Nigeria's adherence to democratic principles.

³³¹ Russell M, *The Contemporary House of Lords: Westminster Bicameralism Revived* (Oxford University Press 2013).

³³² Franks C E, *The Parliament of Canada* (University of Toronto Press 1987).

CHAPTER FIVE

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSION

This chapter presents the concluding aspects of the study by summarizing the major findings in line with research objectives. It highlights the implications of these findings and how they contribute to existing knowledge within the field. It also provides practical recommendations derived from the study, outlines possible policy or managerial implications, and suggests areas for further research. The aim is to consolidate the entire work and provide a clear direction for both scholars and practitioners interested in the subject matter.

5.0 Summary of Findings

The review of the Nigerian Senate's Standing Orders revealed that while they provide a basic operational framework for legislative activities, several procedural gaps reduce their effectiveness in ensuring orderly, transparent, and efficient proceedings. The study found that rigid speaking time rules, inconsistent enforcement of decorum, outdated voting methods, politically influenced committee structures, and the absence of clearly defined disciplinary procedures weaken the Senate's capacity to regulate its own affairs.

The current Standing Orders have a mixed impact on the Senate's ability to perform its constitutional functions. Although they establish formal procedures for debates, voting, and committee work, they often fail to prevent inefficiencies, bias, and procedural violations. Debates are sometimes unfocused due to the lack of thematic structure, points of order are narrowly defined and underutilized, voice voting is prone to subjectivity, and committee appointments are dominated by political considerations rather than merit. Disciplinary measures are largely at the discretion of the Senate President, creating perceptions of partiality and undermining fairness.

An examination of international best practices in parliamentary procedure provided insights into how other legislatures address these challenges. The findings of the study revealed that many established democracies employ flexible but structured speaking time systems, thematic debate scheduling, secure electronic and roll-call voting methods, proportional and merit-based committee representation, and independent multi-party disciplinary committees. These approaches have been shown to improve efficiency, transparency, and institutional credibility.

The findings therefore establish that while the Nigerian Senate's Standing Orders are comprehensive in scope, their practical application is hindered by procedural rigidity, weak enforcement mechanisms, and insufficient safeguards for fairness and accountability. These shortcomings limit the Senate's ability to operate at optimal efficiency and to meet contemporary democratic standards.

5.1 Recommendations

Based on the findings of the study, the following are recommended:

The Senate Committee on Rules and Business should lead a comprehensive review of the Standing Orders to introduce flexible speaking time allocations, strengthen decorum enforcement, modernize voting systems, and establish clear, codified disciplinary procedures, with technical support from the National Institute for Legislative and Democratic Studies (NILDS).

The Senate Leadership, working with the Committee on Ethics, Privileges, and Public Petitions, should reform debate procedures to include thematic sessions, broaden the definition and applicability of points of order, replace voice voting with electronic and roll-call systems, and adopt transparent, merit-based criteria for committee appointments, with compliance monitoring by civil society organizations (CSOs).

The Senate Committee on Legislative Reforms should benchmark Nigeria's Standing Orders against international best practices from parliaments such as the UK, Canada, and the EU. NILDS should organize capacity-building workshops for Senators and clerks, while the Bureau of Public Service Reforms provides advisory support to ensure alignment with wider governance reforms.

The Senate Leadership should establish a multi-party Standing Orders Implementation Oversight Committee to monitor adherence to revised rules, conduct annual evaluations, and recommend adjustments. The committee's reports should be made public via the National Assembly's official website to enhance transparency and build public trust.

5.2 Conclusion

The findings underscore the urgent need for targeted reforms to enhance the Nigerian Senate's operational efficiency, transparency, and integrity. Instituting structured debate regulations, adopting modern voting systems, and promoting merit-based committee structures, can help the Senate align more closely with international democratic standards while fostering a culture of accountability. Strengthened disciplinary procedures, grounded in fairness and due process, will preserve legislative decorum without undermining the rights of members. Collectively, these reforms have the potential to transform the Senate into a more credible, transparent, and effective legislative body capable of delivering on its constitutional mandate.

5.3 Suggestions for Future Research

Future research should explore the impact of structured speaking time allocations on legislative efficiency and decision-making in the Nigerian Senate, assessing whether such measures enhance debate quality and inclusivity. Additionally, studies should investigate the effectiveness of electronic and roll-call voting systems in promoting transparency and accountability, drawing

insights from countries with successful implementations. Further inquiry is also needed into the role of independent disciplinary committees in maintaining legislative decorum and preventing political interference, ensuring fair enforcement of parliamentary rules while upholding democratic principles.

REFERENCES

- Abah NC and Obiajulu AO, 'Relevance of Legislative Oversight in the Fight against Corruption in Nigeria' (2017) 2(1) *Socialscientia: Journal of Social Sciences and Humanities*
- Adegbami A, 'Two Decades of Legislative Activities in Nigeria's Fourth Republic: Issues, Challenges, and the Way Forward' in Fagbadebo O and Alabi MOA (eds), *The Legislature in Nigeria's Presidential Democracy of the Fourth Republic: Power, Process, and Development* (Springer International Publishing 2023) 255.
- Adiputri RD, 'Parliamentary Reforms Through Parliamentary Procedure: A Lesson-Learnt from the Indonesian Parliament' in *12th Workshop of Parliamentary Scholars and Parliamentarians, Wroxton College, Oxfordshire, UK* (2015) 25.
- Agbaje, A., Nigeria: Prospects for the fourth Republic. *Democratic Reform in Africa: The Quality of Progress*. (Boulder, CO: Lynne Rienner 2004).
- Agu JC, Nkwo FN, and Eneiga RU, 'Governance and Anti-Corruption Measures in Nigeria: Strategies for Enhancing Transparency, Accountability, and Public Trust' (2024) 8(1) *International Journal of Economics and Public Policy* 1.
- Agunyai SC and Ojakorotu V, 'The Nigerian Legislative Committee System, Corruption, and Constituency Woes: Lessons Nigerians Can Learn from the Singaporean Legislative Committee System' (2021) 17(2) *Taiwan Journal of Democracy*
- Akpunonu AC and Eze JA, 'Practice of Democracy in Nigeria: Challenges and Prospects' (2021) 3 *IJOCLLEP* 164.
- Alder J and Alder J, 'Parliamentary Procedure' in *Constitutional and Administrative Law* (1999) 207.
- Aliyu MK, Amoge IH and Ayodele BM, 'Analysis of the Challenges of Legislative Oversight on Good Governance in Nigeria' (2018) 8(8) *Developing Country Studies* 148
- Andrews RB, 'Roles in Legislatures' in Martin S, Saalfeld T and Strom K (eds), *The Oxford Handbook of Legislative Studies* (Oxford University Press 2014) 267.
- Arowolo GA, 'Oversight Functions of the Legislature: An Instrument for Nation Building' (2010) 1 *Nnamdi Azikiwe University Journal of International Law and Jurisprudence* 27
- Assembleia da República. (n.d.). *Competences*
- Awad, M., & Leiss, E. L. (2016). The evolution of voting: analysis of conventional and electronic voting systems. *International Journal of Applied Engineering Research*, 11(12), 7888-7896.

- Bagehot, W. (2001). *The English Constitution*. Oxford University Press.
- Bakare AR, *National Assembly and Legislative Effectiveness in Nigeria's Fourth Republic* (Springer Nature 2023).
- Beetham D, *Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice* (Inter-Parliamentary Union 2006).
- Blomgren M and Rozenberg O (eds), *Parliamentary Roles in Modern Legislatures* (Routledge 2015).
- Blumson B, *Resemblance and Representation: An Essay in the Philosophy of Pictures* (Open Book Publishers 2014) 222.
- Brassard, D. J. (2000). *How Can Information Technology Transform the Way Parliament Works?*. Parliamentary Research Branch.
- Brookings Institution. (2019). *How electronic voting machines have improved India's democracy*.
- Bulmer WE, 'Parliament I: Functions, Powers and Composition' in *Westminster and the World* (Bristol University Press 2020) 135.
- Burger M, *The Shaping of Western Civilization: From Antiquity to the Enlightenment* (University of Toronto Press 2008).
- Burke E, 'Speech to the Electors of Bristol in I. Hampshire-Monk' in *The Political Philosophy of Edmund Burke* (1774) 108.
- Cammaerts B, 'Revalidating Participation: Power and Pre-Figurative Politics within Contemporary Left-Wing Movements' (2019).
- Carrubba, C., Gabel, M., Murrah, L., Clough, R., Montgomery, E., & Schambach, R. (2004). A second look at legislative behavior in the European Parliament: roll-call votes and the party system.
- Cauchi T, 'LEGISLATIVE COUNCIL—Giving of Notices of Motions Under Standing Order 75' (2024).
- Chambre des Députés. (n.d.). *Major debates in plenary session*.
- Chukwunyere EC, 'Legislative Oversight and Accountability: A Study of the 8th Senate Committees on Power, Works and Housing (2015–2019)' (2020) Doctoral dissertation, NILDS—Department of Studies
- Coghill K and others, 'The Functions of Parliament: Reality Challenges Tradition' (2012) 27(2) *Australasian Parliamentary Review* 55.

Congressional Research Service. (2011). *Electronic Voting System in the House of Representatives*.

Constitution of the Federal Republic of Nigeria 1999 (as amended).

Dahl RA, *Polyarchy: Participation and Opposition* (Yale University Press 2008).

Dauda P, *Committee System and Legislative Effectiveness of the Nigeria National Assembly: A Study of the Public Accounts Committee of the 7th Senate (2011-2015)* (Doctoral thesis, NILDS-Department of Studies 2021).

Davidson, R. H., Oleszek, W. J., Lee, F. E., & Schickler, E. (2019). *Congress and its members*. cq Press.

Dayal R, 'Parliament in Crisis: Insufficiency of Reforms in Parliamentary Rules for Institutional Well-Being' (2018) 4(1) *EPH-International Journal of Business & Management Science* 32.

Deering, C. J. (1997). Committees in Congress. *Congressional Quarterly Inc*.

Dicey, A. V. (1885). Introduction to the Study of the Law of the Constitution. Macmillan.

DiMaggio PJ and Powell WW, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields' (1983) *American Sociological Review*.

Docherty, D. C. (2011). *Legislatures*. UBC Press.

Dwibedi JK, *International Trade, Economic Development and National Welfare*. Bakare AR, *National Assembly and Legislative Effectiveness in Nigeria's Fourth Republic* (Springer Nature 2023).

Ehigiamusoe UK and Umar A, 'Legislative Oversight and Budget Performance in Nigeria: Issues and Policy Options' (2013) 1(5) *IOSR Journal of Economics and Finance* 1.

Ejumudo KBO and Ikenga FA, 'The Problematic of Legislative Oversight in Nigeria: A Study of Delta State' (2021) 3(2) *The Indonesian Journal of International Clinical Legal Education* 125

Election Commission of India. (2019). Report on the General Elections 2019. New Delhi: ECI.

Erskine M, *Parliamentary Practice: The Law, Privileges, Proceedings, and Usage of Parliament* (Lexis Nexis 2021).

European Parliament. (2016). *Potential and Challenges of E-Voting in the European Union*

Evans P, *Essays on the History of Parliamentary Procedure* (2017) 1–368.

Fagbadebo O and Alabi MOA (eds), *The Legislature in Nigeria's Presidential Democracy of the Fourth Republic* (Springer International Publishing 2024).

Fallon Jr, R. H. (1997). The rule of law as a concept in constitutional discourse. *Colum. L. Rev.*, 97, 1.

Fenno, R. F. (1973). *Congressmen in committees*. Little & Brown.

Fitsilis, F., von Lucke, J., De Vrieze, F., Mikros, G., Palmirani, M., Read, A., ... & Harris, M. (2024). Guidelines for ai in Parliaments. *Westminster Foundation for Democracy*, 1-49.

Fox J and Shotts KW, 'Delegates or Trustees? A Theory of Political Accountability' (2009) 71(4) *The Journal of Politics* 1225.

Francis S and Fagbadebo O, *Power Relations Among Institutions in Nigeria's Presidential System: Issues and Contentions* (2016).

Franklin DL, 'Legislative Rules, Nonlegislative Rules, and the Perils of the Short Cut' (2010) 120 *Yale Law Journal* 276.

Franks, C. E. (1987). *The parliament of Canada*. University of Toronto Press.

Galera S, *Judicial Review: A Comparative Analysis Inside the European Legal System* (Council of Europe 2010).

Gallagher M, 'Parliament' in Coakley J and Gallagher M (eds), *Politics in the Republic of Ireland* (Routledge 2012).

Garba v. University of Maiduguri (1986) 1 NWLR (Pt. 18) 550

Greenberg G, 'Beyond Resemblance' (2013) 122(2) *Philosophical Review* 215.

Hanson AH, 'The Purpose of Parliament' in *Planning and the Politicians* (Routledge 2022) 11.

Harcourt, B. A. (1997). *When to initiate disciplinary proceedings: the role of judges in maintaining candor and decorum*. University of Nevada, Reno.

Held D, 'Democracy: From City-States to a Cosmopolitan Order?' (1992) 40 *Political Studies* 10.

Heywood A, *Politics* (Palgrave Macmillan 2013).

Hix, S., Noury, A., & Roland, G. (2006). Dimensions of politics in the European Parliament. *American Journal of Political Science*, 50(2), 494-520.

Holtzhausen M, *Parliament as a Legislative Authority in South Africa: The Constitutional Framework for Governance and Oversight* in Paul K (ed) 1.

Horne A and Torrance M, 'Parliament as Scrutineer: Parliamentary Oversight of the Law-Making Process' in *A Research Agenda for Administrative Law* (Edward Elgar Publishing 2023) 85.

House of Commons Information Office (2010). Disciplinary and Penal Powers of the House. Available at: <https://www.parliament.uk/globalassets/documents/commons-information-office/g06.pdf>

House of Commons. (2000). *Rules of order and decorum - Introduction*. Retrieved from <https://www.ourcommons.ca/marleaumontpetit/DocumentViewer.aspx?Language=E&Print=2&Sec=Ch13&Seq=1>

Hughes RI, 'Models and Representation' (1997) 64(S4) *Philosophy of Science* S325.

Hume D, *Of the Independency of Parliament* (vol 1, Library of Alexandria 2020).

Igbakpa BR and Ejumudo KBO, 'Corruption and the Effectiveness of the Legislative Oversight Responsibilities of the House of Representatives in Nigeria's Fourth Republic' (2023) *BW Academic Journal* 11

Imre, M., Ecker, A., Meyer, T. M., & Müller, W. C. (2023). Coalition mood in European parliamentary democracies. *British Journal of Political Science*, 53(1), 104-121.

Inter-Parliamentary Union (IPU), *E-Parliament and Innovative Practices in the 21st Century* (2021).

Parliament M, *Standing Orders* (2003).

Irukwu JO, *Nigeria at 100: What Next?* (African Books Collective 2014).

Isa, D., Ucture, R., Tech, N., & Lture, U. (2010). Thematic Approach The thematic topic was organized into four sessions. Not only were all These sessions standing-room-only, but the continuously vivid discussions were surpassed by no other session in the Forum. The organizers indicated in the wrap-up session that this topic received the highest number of applications during the preparation. In *5th World Water Forum Secretariat Libadiye Caddesi No 56 34696 Küçükçamlıca Üsküdar Istanbul Turkey Phone: + 90 216 325 4992* (Vol. 32, p. 66).

Janda SN and Masango RS, 'Oversight Function and Accountability as Cornerstones for Good Governance in the South African Local Government' (2024) 59(1) *Journal of Public Administration* 87.

Jennings WI, *Parliament* (CUP Archive 1948).

Judge D and Leston-Bandeira C, 'The Institutional Representation of Parliament' (2018) 66(1) *Political Studies* 154.

Kalu UC, 'Separation of Powers in Nigeria: An Anatomy of Power Convergences and Divergences' (2018) 9(1) *Nnamdi Azikiwe University Journal of International Law and Jurisprudence* 116.

Kestler T, 'Democratic Dilemmas: On the Relationship Between Representation and Participation' (2011) 21(3) *ZPol Journal of Political Science* 391.

Kindra G and Stapenhurst F, *Empowering Parliaments with Strategic Communications* (World Bank Institute 2010) 1–44.

Klein, S. R. (2018). Movements in the Discretionary Authority of Federal District Court Judges over the Last 50 Years. *Loy. U. Chi. LJ*, 50, 933.

Kohno, T., Stubblefield, A., Rubin, A. D., & Wallach, D. S. (2004, May). Analysis of an electronic voting system. In *IEEE Symposium on Security and Privacy, 2004. Proceedings. 2004* (pp. 27-40). IEEE.

Leston-Bandeira C, 'Towards a Trustee Model? Parliamentary Representation in the Internet Era: The Portuguese Case' (2012) 65(2) *Parliamentary Affairs* 425.

Lijphart A, 'Democracies: Forms, Performance, and Constitutional Engineering' (1994) 25(1) *European Journal of Political Research* 1.

Luban, D. (1988). *Lawyers and justice: An ethical study*. Princeton University Press

Mackieson, P., Shlonsky, A., & Connolly, M. (2018). Informing permanent care discourses: A thematic analysis of parliamentary debates in Victoria. *The British Journal of Social Work*, 48(8), 2137-2156.

Maddicott JR, *The Origins of the English Parliament, 924-1327* (Oxford University Press 2010).

Madue SM, 'The Role of Oversight in Governance' (2013) 27(1) *Loyola Journal of Social Sciences*.

Mashaw, J. L. (1985). Due process in the administrative state. (*No Title*).

Matthews DR, *US Senators and Their World* (1960).

McKay WR and Jack M, *Erskine May on Parliamentary Practice: The Law, Privileges, Proceedings and Usage of Parliament* (Lexis Nexis 2011).

Metz, J. (2014). EU Commission expert groups between inclusive and effective policy-making. *Expertise and democracy*, 263-291.

Mezey, M. L. (1979). *Comparative Legislatures*.

Mikva AJ, Lane E, Gerhardt MJ, and Hemel DJ, *Legislative Process* (Aspen Publishing 2022).

Milić DA, 'Parliamentary Rules of Procedure and Parliamentary Speech' (2023) 82(4) *Srpska Politička Misao* 257.

Morgenstern, S. (2003). *Patterns of legislative politics: Roll-call voting in Latin America and the United States*. Cambridge University Press

Mota F, 'Parliamentary Political Representation' in Astrid B and Jesús L (eds), *Political Power in Spain: The Multiple Divides between MPs and Citizens* (Routledge 2018) 141.

Murugu PM, *The Challenges and Opportunities of Decentralized Political Systems: Lessons for Kenya from India and Nigeria* (2014).

Muyllle KJ, 'Improving the Effectiveness of Parliamentary Legislative Procedures' (2003) 24 *Statute Law Review* 169.

National Assembly of Belize. (1967). *Standing Orders of the Senate*.

National Conference of State Legislatures (NCSL). (2020). *The importance of decorum in legislative proceedings*. Retrieved from https://www.nmlegis.gov/Publications/New_Member_Orientation/Decorum%20Legis%20Brief.pdf

Nigeria, *Constitution of the Federation of Nigeria* (Good Press, 11 April 2021).

Nigerian Senate Standing Orders 2023 (as amended), Order 118 (Committee Reports)

Nigerian Senate Standing Orders 2023 (as amended), Order 121 (Public Hearings)

Nigerian Senate Standing Orders 2023 (as amended), Order 43 (Points of Order and Interruptions)

Nigerian Senate Standing Orders 2023 (as amended), Order 53 (Disorderly Conduct).

Nigerian Senate Standing Orders 2023 (as amended), Order 53 (Order of Speaking)

Nigerian Senate Standing Orders 2023 (as amended), Order 54 (Points of Order and Interruptions)

Nigerian Senate Standing Orders 2023 (as amended), Order 55 (Time Limits for Speeches)

Nigerian Senate Standing Orders 2023 (as amended), Order 56 (Conduct of Debate)

Nigerian Senate Standing Orders 2023 (as amended), Order 67 (Naming and Suspension of Members)

Nigerian Senate Standing Orders 2023 (as amended), Order 73 (Voting Methods)

Nigerian Senate Standing Orders 2023 (as amended), Order 74 (Challenging Voice Votes)

Nigerian Senate Standing Orders 2023 (as amended), Order 75 (Quorum for Voting)

Nigerian Senate Standing Orders 2023 (as amended), Orders 96 (Special Committees)

Nigerian Senate Standing Orders 2023 (as amended), Orders 96 to 127 (Committee Rules)

Nigerian Senate Standing Orders 2023 (as amended), Orders 97 (Committee of Selection)

Nigerian Senate Standing Orders 2023 (as amended)..

Norton P, *Parliaments in Western Europe* (1990).

Norton, P. (2013). *Parliament in British politics*. Bloomsbury Publishing.

Nwagwu EJ, 'Legislative Oversight in Nigeria: A Watchdog or a Hunting Dog' (2014) 22 JL Pol'y & Globalization 16

Nwaubani OO, 'The Legislature and Democracy in Nigeria (1960–2003): History, Constitutional Role and Prospects' (2014) 4(15) *Positions*.

Odeyemi TI and Abioro T, 'Digital Technologies, Online Engagement and Parliament-Citizen Relations in Nigeria and South Africa' in Fagbadebo O and Ruffin F (eds), *Perspectives on the Legislature and the Prospects of Accountability in Nigeria and South Africa* (Springer 2019) 217.

Oduntan G, 'Prescriptive Strategies to Combat Corruption within the Administration of Justice Sector in Nigeria' (2017) 20(1) *Journal of Money Laundering Control* 35.

Odusanya AJ, 'The Challenge of Democratic Governance in the African Region: The Nigerian Experience' (2013) 6(06) *OIDA International Journal of Sustainable Development* 11. Akpunonu AC and Eze JA, 'Practice of Democracy in Nigeria: Challenges and Prospects' (2021) 3 *IJOCLLEP* 164.

Ogbonnaya UM, Omoju OE, and Udefuna NP, 'The Challenges of Democratic Governance in Nigeria's Fourth Republic' (2012) 3(11) *Mediterranean Journal of Social Sciences* 685.

Ogbu DC, 'Post Legislative Scrutiny as a Mechanism for Effective Legislation' (2021) 10 IJDLR 1

Ogoh PA, 'Post-Legislative Scrutiny in Nigeria: A Review of the Implementation of the Violence Against Persons (Prohibition) Act, 2015' (2023) Doctoral dissertation, NILDS–Department of Studies

O'Hara K, 'Transparency, Open Data and Trust in Government: Shaping the Infosphere' in *Proceedings of the 4th Annual ACM Web Science Conference* (2012) 223.

Ojukwu v. Military Governor of Lagos State (1986) 1 NWLR (Pt. 18) 621

Okafor Ani JO, Anene UJ, Onyilokwu GN and Balure AM, 'The Law-Making Process in Presidential and Parliamentary Systems' (2023)

Oko O, 'Seeking Justice in Transitional Societies: An Analysis of the Problems and Failures of the Judiciary in Nigeria' (2005) 31 *Brooklyn Journal of International Law* 9.

Okoeguale H, 'Strengthening Legislative Controls over Delegated Legislation in Nigeria' (2019) 10(2) Nnamdi Azikiwe University Journal of International Law and Jurisprudence 35

Oladele AON, Chukuemeka T, and Micah LC, 'Legislatures and the Budget Process in Nigeria' (2021) 7(6) *European Journal of Accounting, Finance, and Investment* 1.

Oleszek, W. J., Oleszek, M. J., Rybicki, E., & Heniff Jr, B. (2015). *Congressional procedures and the policy process*. CQ press

Omotoso F and Oladeji O, 'Legislative Oversight in the Nigerian Fourth Republic' in *The Nigerian National Assembly* (2019) 57.

Onwe SO, Ibeogu AS, and Nkwede JO, 'Imperatives of Legislative Oversight Function in Nigerian Democratic System' (2015) 5(4) *Research on Humanities and Social Sciences* 72.

Pelizzo R and Stapenhurst F, *Parliamentary Oversight Tools: A Comparative Analysis* (Routledge 2013).

Policy and Legal Advocacy Centre (PLAC). (2015). *Senate Standing Orders 2023 (as amended)*.

Poole, K. T., & Rosenthal, H. (2000). *Congress: A Political-Economic History of Roll Call Voting*. Oxford University Press.

Post G, *Studies in Medieval Legal Thought: Public Law and the State 1100-1322* (Princeton University Press 2015).

Prior A, 'Public Engagement in the Work of Parliament' (2022).

Proksch, S.-O., & Slapin, J. B. (2015). *The Politics of Parliamentary Debate: Parties, Rebels and Representation*. Cambridge University Press.

Protsyk O, *The Representation of Minorities and Indigenous Peoples in Parliament* (Inter-Parliamentary Union 2010).

Rehfeld A, 'Beyond Trustees and Delegates' in *Political Representation* (Routledge 2016) 29.

Rogers R and Walters R, *How Parliament Works* (6th edn, Routledge 2013).

Roy, J. (2006). *E-government in Canada: Transformation for the Digital Age*. University of Ottawa Press.

Rush M, *Parliament Today* (Manchester University Press 2005).

Russell, M. (2013). *The contemporary House of Lords: Westminster bicameralism revived*. OUP Oxford.

Saliu HA and Bakare AR, 'An Analysis of the Role of the National Assembly in Nigeria's Fourth Republic and its Possible Reform' (2020) 20(2) *Studia Politica: Romanian Political Science Review*.

Sanyaolu P, Sanyaolu CO and Segun J, 'The Process of Law Making by the Legislature in a Democratic Setting' (2017) 1 *Political Science and Democracy* 1

Selznick P, 'Foundations of the Theory of Organization' (1948) 13(1) *American Sociological Review* 25.

Sharma AK and Kautish S, 'Prospects and Challenges in Digitization: The Case Study of Federal Parliament of Nepal' (2021) arXiv preprint arXiv:2108.07726

Shepsle KA, 'The Rules of the Game: What Rules? Which Game' in *Proceedings of the Conference on the Legacy and Work of Douglass C. North, St. Louis* (November 2010).

Shepsle KA, 'The Rules of the Game' in Alston L, Eggertsson T, and North D (eds), *Institutions, Property Rights, and Economic Growth: The Legacy of Douglass North* (2014) 66.

Shkabatur, J. (2012). Transparency with (out) accountability: Open government in the United States. *Yale L. & Pol'y Rev.*, 31, 79.

Sieberer U, Müller WC, and Heller MI, 'Reforming the Rules of the Parliamentary Game: Measuring and Explaining Changes in Parliamentary Rules in Austria, Germany, and Switzerland, 1945–2010' (2011) 34(5) *West European Politics* 948.

Sieberer, U., Dutkowski, J. F., Meißner, P., & Müller, W. C. (2020). Going Institutional to Overcome Obstruction: Explaining the Suppression of Minority Rights in Western European Parliaments, 1945–2010.

Simon, J., Bass, T., Boelman, V., & Mulgan, G. (2017). Digital democracy: the tools transforming political engagement.

Smith, S. S., Roberts, J. M., & Vander Wielen, R. J. (2013). *The American Congress*. Cambridge University Press.

Standing Order 11(1)(b). No Member has been physically removed from the Chamber after being named by the Speaker. There have been, however, instances where, at the request of the Speaker,

a Member has been escorted from the Chamber by the Sergeant-at-Arms. See *Debates*, July 4, 1944, p. 4514; May 19, 1982, p. 17596.

Stapenhurst R, Jacobs K and Olaore O, 'Legislative Oversight in Nigeria: An Empirical Review and Assessment' (2016) 22(1) *The Journal of Legislative Studies* 1

Sudulich L, Trumm S and Bridgewater J, 'Parliamentary Representation: A Cross-National Study of Candidates' Views' (2020) 73(3) *Parliamentary Affairs* 522.

Suspension: Embattled Natasha files fresh suit as Senate backs Akpabio. Retrived from https://punchng.com/suspension-embattled-natasha-files-fresh-suit-as-senate-backs-akpabio/#google_vignette

Szabó Z, 'Judicial Control of Parliamentary Procedure: Theoretical Framework Analyses' (2023) 9 *Constitutional Review* 1.

Taylor M, 'Parliamentary Representation in Modern Britain: Past, Present, and Future' (2022) 65(4) *The Historical Journal* 1145.

The Nigerian consitution 1999 (as amended), (The Right to Fair Hearing). https://nigerian-constitution.com/chapter-4-section-36-right-to-fair-hearing/#google_vignette

The punch. Natasha suspended for misconduct, not harassment claim, Senate replies IPU (2025). Retrived from https://punchng.com/natasha-suspended-for-misconduct-not-harassment-claim-senate-replies-ipu/#google_vignette

U.S. House of Representatives. (2011). *House Practice: A Guide to the Rules, Precedents and Procedures of the House*

United Nations. (2014). *UN General Assembly Thematic Debate*.

United State standing order (n.d). Chapter 25: Ethics; Committee on Ethics. Available at: <https://www.govinfo.gov/content/pkg/GPO-HPRACTICE-115/pdf/GPO-HPRACTICE-115-26.pdf>

Verstein A, 'Trustee or Delegate? Understanding Representation to Illuminate Shareholder Governance and Regulatory Change' (2012).

Waldron, J. (1999). *Law and Disagreement*. Oxford University Press.

Zungula V, 'Strengthening Parliament as an Effective Oversight Body: The Role of Ethical Political Leadership' (2023).