
**The Legislature and Legislative Practices in Anambra State:
Scorecard of Performance of Anambra State House of Assembly 2003
- 2015**

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Abstract

This paper tries to establish the state of functionality of Anambra State House of Assembly as a Legislative organ of government in the State. Its assessment is based on the common practices of the legislature, isolating the two functional responsibilities of law making and oversight. It anchors its analysis, with the aid of 'General Role Theory', on data from parliamentary activities (Bills and oversight reports) of Anambra State House of Assembly (2003–2015) generated from the House. The paper find that there was dominance of the position of the executive on the activities of the House, and that the record of bills (presented, passed or not passed) had little to show inputs from the constituents, civil society groups and professional bodies. It was also found that the legislative processes were constantly perverted to satisfy the demands of the executive. The paper further finds that the oversight functions were made rather 'routinistic', using only the Standing Committees of the House and does not appear to have made reasonable positive impact on the governance. The paper therefore recommends, among others, that there is a need for more public participation in the affairs of the House. Therefore, members of the civil society and civil society organisations need to take more definite steps (through seeking and making information available) to press for more

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and deeper legislative processes and oversight duties by the State House of Assembly.

1. Introduction

As easy as it may sound, performance management and measure appear to be among the most difficult things to do in the assessment of governance. This is essentially because most technical measures of checking them are often times vulnerable to value attacks. Usually, heavy value judgments impinge on the designed instruments for the achievement of good and impeccable decisions. Yet, science has always found ways outside it and has answered very pertinent questions concerning the functionality and non-functionality of persons in the positions of responsibilities as these issues have been variously and successfully discussed in social sciences discourses.

Effectively, measures of performance in management thrive with good knowledge of the duties assigned to such offices as a means of ascertaining if such duties have been successfully performed or not. Technically, in normal management, the measure is determined through the performance appraisal process. According to Scott, in Mamoria and Gankar (2009: 361), “a performance appraisal in management is a process of evaluating an employee in terms of the requirements”... of the job for which he is employed (see also Heyel, 1973: 654) ... in comparison to certain established organizational standards (Riggio, 2003: 124). This indicates that determination of the job expectation is a good prelude to assessing whether the job has been satisfactorily done or not and in line with the accepted principles.

The legislature, as an organ of modern government is better understood when one considers the fact that it is the only direct and acceptable avenue through which the people participate in governance. Indeed, it is noted that any governmental system that does not have the legislature in place cannot be qualified to be described as democratic. Its importance is well captured by Lefanwa (2006:1) who describes the legislature as a strategic institution of democratic governance “...as it represents the people, makes laws and participates in policy making as well as checks particularly on the Executive arm of government”. Indeed, it is through the legislature and their performance, especially in their quality of laws that good governance is measured all over the world. No doubt, the effectiveness of the legislature in its function contributes to effective and good governance.

Section 4 (2) of the 1999 Constitution of the Federal Republic of Nigerian (as amended), assigns to the National Assembly the “powers to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in Part 1 of the Second Schedule to this Constitution”. Same duties are also assigned to the State Assemblies by Section 4 (7) of the same 1999 Constitution over the State matters and especially on issues not contained in the Exclusive Legislative List and also on matters included in Concurrent List and on any other matter with respect to which it is empowered to make laws in accordance with the provisions of the Constitution (see Section 4 (7 a, b & c). These are actually not out of the conventional practices of lawmaking, regulatory and representational functions of the legislature. As summed up by Wahike (1962:7), the basic functions of the legislature are four. They do perform decisional, legitimizing, representative and other functions. Breaking it down, Stewart (1955:106), using the functional pattern in British House of Commons, presents the functions of the parliament also in four ways:

1. To make law
2. To watch and criticize the government
3. To hold debates, which will focus attention on politics and make clear to the people what are the questions; which they will have to decide?
4. The control of the raising and spending of money.

Putting it succinctly, Ikejiani-Clark and Nwanegbo (2010) explain that these duties of the legislature can be captured under the two key field functions of lawmaking and oversight. While the lawmaking function includes the participation in debate and actual making of the laws, rules, guidelines and regulation that enhance governance within the state, oversight functions are those regulatory and supervisory functions of the house. This enables them to ensure that the other arms of government are operating in line with the rules and in the interest of the citizenry (see Section 128 of 1999 Constitution). It therefore implies that consideration of the performance of a legislative house or that of an individual legislator would be along these two key duties which can be performed in multiple ways. More so, it has to reflect an assessment of their performance of these functions in their capacity as the ‘representatives of the people’, the electorates.

It would be right therefore to assess the performance of an individual legislator in two ways: his representative function which is core, and his

productivity as an individual state officer. Same is applicable to the House as a whole. In an ongoing research, Nwanegbo, Alebiosu and Wununyatu (on-coming) found out that in misconception of their functions, many legislators turn their back on their constituents. To some (that are efficient), it is a case of serving the bigger master (the entire state) with the hope that the smaller master's (i.e. individual's) interest is by that also protected. While this argument should not stand because the legislator's performance of those functions are legal and acceptable because they are done on behalf of the people (Ikejiani-Clark and Nwanegbo, 2010), and therefore taking action without recourse to the people violates the tenets of representation, questions are being raised as to whether the legislators are really becoming productive (along their second group function of law making and oversight), even at the detriment of the core function of representation.

Understanding that the successful functioning of the legislature has a lot of implications on the success of (state) governance, and seeing the spate of governance failures in various states of the federation and yet the new found love among most State Executives and Legislative Houses, some agitations are raised in an inquiring mind on the functionality of the legislative houses in Nigeria. With this in mind, this study seeks to assess the extent the Anambra State legislature has performed its various functions in the governance of the state. Again, it looks at how it has consciously applied the legislative and legal processes in achieving its objective, in consideration of the fact that the people's opinions are already encoded in the constitution.

2. Conceptual Discourses: The Legislature, Legislative Practices and Performance

The practices of the legislature are encapsulated in the duties performed by the legislature towards the establishment and maintenance of democratic principles and governance in the polity. Literarily speaking, a practice explains the gamut of activities that define a system or subsystems within a particular polity. Of course, not every activity becomes a practice. An activity gets to the level of becoming a practice if and when such activity has attained some level of regularity that it could be seen as a way of doing things. Such practice ought to also become recognised in certain processes that it should be clearly known and measured.

A process on the other hand, is a systematic series of actions directed to some ends. It depicts continuous actions, operations, or series of changes taking place in a definite manner. It also defines “what” needs to be done and which roles are involved. Closely related to it is a procedure which defines “how” to do the task and usually only applies to a single role. According to Bandor (2007) a process consists of a number of things:

- Roles and responsibilities of the people (roles) assigned to do the work
- Appropriate tools and equipment to support individuals in doing their jobs
- Procedures and methods defining “how” to do the tasks and relationships between the tasks.

When these are entrenched within a system, they attain the position of a practice. There could be series of processes within a particular practice in a system depending on the number of duties that are performed within that system.

Understanding the duties of the legislature in line with Ikejiani-Clark and Nwanegbo (2010) which includes, essentially, lawmaking (participation in debate and actually making of the laws, rules, guidelines and regulation that enhances governance within the state) and oversight (regulatory and supervisory) functions, means that two main lines of processes exist in the legislative practices: the “legislative processes” and the “oversight processes”.

The “legislative processes” refer to the activities performed by the legislature to accomplish some tasks mapped out for it (e.g. generating bills, taking the different readings, committee stage, passing bills into law, and assenting to the bills by the executive, etc) (Booker, 2001). As could be seen from the above, these are all processes tending towards lawmaking.

As contained in the report of Select Committee on the Constitution (14th Report of Session 2003-04) of the British House of Lords, the legislative process can be defined narrowly but wholesomely “in terms of when bills are before Parliament ... concerned with Parliament’s role in the formulation, discussion, and implementation of legislation. Therefore structured investigation on it should be in terms of pre-legislative scrutiny, legislative scrutiny, and post-legislative scrutiny”. On a general note, it also includes all the actions of the legislature covering from the

relationship between the parliament and citizens, through pre-legislative scrutiny, parliamentary counsel, bill drafting, rolling legislative programmes, the decision making process, responsibility and methodology for scrutiny, and consultation process. There are also series of activities within the committees making the legislative process (ibid). The expectation is that every bill passed should go through these routine processes, and yet become passed expediently. If the processes are so dragging that bills do not get out of the House, it shows that there are problems. If on the other hand bills are passed without recourse to these processes, it indicates pervasion of the process which is also very unhealthy for democracy.

The processes of oversight on the other hand encompasses the gamut of activities involved in the regulation and supervision done by the legislature to ensure that the other arms of government are operating in line with the rules and in the interest of the citizenry.

From the United States of America where the practice started, Congressional oversight refers to oversight by the United State's Congress on the Executive Branch, including the numerous U.S. Federal Agencies. It refers to the review, monitoring, and supervision of federal agencies, programmes, activities, and policy implementation (Kaiser, 2001). This power is largely exercised through the legislature's committee system. Oversight occurs in a wide variety of parliamentary activities and contexts and these include authorisation, appropriations, investigative, and legislative hearings by standing committees; specialised investigations by select committees; and reviews and studies by parliamentary support agencies and staff (see Kaiser, 2001).

Underlying the legislature's ability to oversee the executive are democratic principles as well as practical purposes. John Stuart Mill insisted that oversight was the key feature of a meaningful representative body as "the proper office of a representative assembly is to watch and control the government" (Mill, 1861: 104). According to Woodrow Wilson, oversight is so very important and indeed as important in democracy as lawmaking itself (Wilson, 1885: 297). It is an integral part of the presidential system of checks and balances. The main purposes of oversight are identified thus:

- To improve the efficiency, economy, and effectiveness of governmental operations;

- To evaluate programmes and performance;
- To detect and prevent poor administration, waste, abuse, arbitrary and capricious behaviour, or illegal and unconstitutional conduct;
- To protect civil liberties and constitutional rights;
- To inform the general public and ensure that executive policies reflect the public interest;
- To gather information to develop new legislative proposals or to amend existing statutes;
- To ensure administrative compliance with legislative intent; and
- To prevent executive encroachment on legislative authority and prerogatives (Kaiser, 2001).

Contrary to the practice in the United State Congress where the Oversight is an “implied” rather than an enumerated power (see Final Report of the Joint Committee on the Organization of Congress - Congressional Oversight), as the government's charter does not explicitly grant Congress the authority to conduct inquiries or investigations of the executive, to have access to records or materials held by the executive, or to issue subpoenas for documents or testimony from the executive (see Wikipedia on the Congress retrieved on 02/09/2013), in Nigeria, the legislative practice of oversight is rooted in chapter 5, part 1 that is, sections 80 (i) – (4) and 88 (i) – (2)(b) of the 1999 Constitution. Section 88 (i) provides, inter-alia, thus:

“Subject to the provisions of this Constitution, each house of the National Assembly shall have power.... To direct or cause to be directed an investigation into:

- (a) any matter or thing with respect to which it has power to make laws; and
- (b) the conduct of affairs of any person, authority, ministry or government department charged or intended to be charged, with the duty of responsibility for
 - (i) executing or administering laws enacted by the National Assembly and
 - (ii) disbursing or administering moneys appropriated or to be appropriated by the National Assembly”.

It also goes further to state in sub-section 2 (b) that the 'power' is conferred on the National Assembly to enable it “expose corruption, inefficiency or

waste in the execution or administration of laws within its legislative competence and in the disbursement and administration of funds appropriated by it". This responsibility which is equally bestowed on the State Houses of Assembly by the same Constitution under section 103 and with the same achievable and measurable intentions, engages the House and indeed ought to engage it for the bigger part of the Legislature's time.

Conduct of the House business as it concerns these processes (law making and oversight) is what makes up the legislative practices. Performance measurement therefore, is made through checking the functioning of the legislature in the practices that capture these processes.

3. Law Making Process and Practice of the Legislature

Lawmaking is a process during which an idea of a law is transformed into a law. As has been established, lawmaking process constitutes a fundamental practice in the Houses. As a measure, the extent to which the House adheres to this process indicates whether the practice in the House is correct or wrong, successful or not, etc. Additionally, the functionality of the process also helps to determine the success of the legislative practice as contained in the lawmaking process. As explained by Bennion (1978), the principle of legal effectiveness, procedural legitimacy, timeliness, certainty, comprehensibility, acceptability, brevity, debatability, legal compatibility are all expected in the process to enhance the practice. The benefit of this is seen in the quantity and quality of laws enacted within a record time, especially the importance of the laws to the society.

In Nigeria, the Constitution specifically sets out the mode of enactment of Acts of the National Assembly and of the Laws of State Houses of Assembly. First, it empowers both tiers of the legislature at the Federal level under Section 60 to provide their own guidelines and procedures and under Section 58 (1) to make legislation for the governance of the country. On the other hand, Section 100 (1) of the Constitution provides for the legislative power of the State House of Assembly. In the same vein, section 101 enables the Houses of Assembly of States to provide their respective regulation and procedure. Order XII Rule 3 (1) of the Standing Orders of the House of Representatives set out the procedural schedule and same was equally replicated in a likely manner under Order 54 - 64 of Anambra State House of Assembly Standing Orders as follows:

Every bill shall receive three readings previous to its passage, which readings shall be in three different days, unless the House unanimously

directs otherwise and the speaker shall give notice at each reading whether it is first, second or third.

The passage of bill process is as follows:

- i. **First Reading:** This stage is merely the formal declaration of the short title of the bill. Hence, as provided by order XII Rule 2 (1) (6) of the Standing Orders of the House of Representatives, “Upon the short title of the bill being read aloud by the Clerk, the bill shall be deemed to have been read the first time”.
- ii. **Second Reading:** The second reading which is usually scheduled after the first reading by the Rules and Business Committee provides members with opportunity to discuss the general principles, merits and demerits of the bill. It is at this point that the legislators can decide to accept or reject the bill from proceeding (see Order XII Rule 4(1) of the House of Representatives).
- iii. **Committal to Committee:** The standard legislative practice is that a bill after the second reading shall stand committed to a standing committee for thorough scrutiny. It is indeed at the committee stage that the bill will be subjected to far reaching deliberations, including public hearing and the contribution of experts, etc. on the matter contained in the proposed law.
- iv. **Report Stage:** The standing committee that treated and deliberated on the bill, will through the Rules and Business Committee, state a date to present its findings to the House. The chairman of that standing committee will report the bill to the House.
- v. **Committee of the whole House:** Depending on the issue being proposed, a Committee of the whole House may be constituted. When this is the case, the presiding officer of the House will leave the chair for his/her Deputy who would be referred to as chairman with the mace lowered.
- vi. **Third Reading:** After the committee stage, the bill will proceed to the third reading. There can be room at this stage, for correction and amendment if there are errors or oversights highlighted in course of the journey of the bill. The motion will then be moved that the bill be read the ‘third time’. The question will be without debate and if supported by the requisite number of members, the presiding officer will then

call upon the clerk to read aloud the long title of the bill. The presiding officer will also repeat the long title of the bill and declare the bill read the third time and passed.

- vii. **Engrossment of a Bill:** Engrossment involves the production of a final ‘clean copy’ of a bill, usually by the legal department containing all the amendments agreed to by the legislators at the various stages of the bill. The bill will be drawn up in the proper legal drafting format and sealed with an authenticated certificate endorsed by the clerk of the House. Thereafter, the bill will be presented to the chief executive (president or governor of a state) for his assent or otherwise.

Because every society needs a stable legal system that would reflect the changing demands and interests of the society, the law-making process is quite important as it is at the point that the interest of the society and the interest of the state meet. However, the law-making itself just by judiciously following the processes as explained above or the adoption of laws does not satisfy a society. Fulfilling this task the lawmakers must, as a matter of democratic principle, ensure that the laws and rules made in the interest of the people are implemented in a manner that reflects the determination for the development of the society. To some extent the indicator of the effectiveness of the law-making process is the law enforcement. That is why in the modern society, the legislative practice reflects interest not only in law-making but also in its control. That aspect of control of the governmental system to ensure compliance with the laws/rules made by the legislature is a process in the practice of the legislature called ‘Legislative Oversight’.

4. The Legislature and Oversight Processes

Just like in law-making, oversight function is conducted as a process of legislative practice. The conduct of oversight in an organized and democratic manner is what makes it useful to the governance system. The legislature is circumspect in how it conducts oversight and what issues to consider. According to Pellizo (2013), the parliament can scrutinize or oversee any area of government activity. There is however cross-country variation in the practice of oversight.

The process of legislative oversight is also not done in any manner; there are conventional methods or tools of conducting the oversight for it to be seen as being in line with the practice of legislature. They are;

1. Questions: This is the most common and the most effective oversight tool and can be oral or written. Written questions are generally submitted in writing, answered in writing and are not debated. Oral questions are answered and debated during 'Question Time' when individual member of Parliament can ask question on such issues of related importance
2. Interpellations: This is less common but a more powerful oversight tool than question. The difference between questions and interpellations is that interpellations cannot be asked by individual legislator. Again, while question seeks information, interpellation seeks an explanation/justification. In other words, it is a direct request on the government agency or individual officer under an inquest. In fact, the other and more common name for interpellation is inquest which may lead to government crisis in parliamentary systems and to a motion of censure or impeachment in presidential systems.
3. Hearings: This includes the variously organised hearing on issues of general and public interest usually conducted by the legislature. It appears not very popular in Nigeria but has been organised on some occasions by the legislature in Nigeria. A good instance was when a Senate Mission came to Anambra state over the corpses seen at Amansea River and conducted a hearing at the Government House to receive first-hand information on the event from the public.
4. Motions (debate, censure): motions for debate can be used to scrutinise the implementation of government policies and activities, etc.
5. Oversight committees: Committees are crucial for oversight function by the House. Committee hearings are, along with questions, the most common and one of the most effective oversight tools. In the Houses, there are standing committees with responsibilities over specific ministries, departments and agencies (MDAs) that follow up on the day to day activities on those (MDAs).
6. Inquiry committees: There are also some other committees of inquiry set up from time to time to perform oversight

responsibilities by the various Houses. Through these committees, very deep and regular oversight activities are conducted by the legislature.

7. Missions: Missions are less common, but actually does exist as a legislative tool of oversight. Through the fact-finding missions the legislature gathers the necessary information on the efficiency and the effectiveness of government policy implementations and on issues of special interests. The Nigerian Senate has done more of that in recent time than the other Houses. After the Military's attack at Odi in 1999, the Senate sent a Committee on a fact finding mission to the location. The same thing happened in the Anambra State case mentioned at number 3 above. Other fact finding missions for administrative findings have taken place through the legislative activities.
8. Reports: Reports submitted as a matter of administrative activities by MDAs also serve as checks and regulatory instruments available to the legislature on the functioning of the executive's activities.

In an ensuing debate on the relationships and measures of improving on the oversight processes, Pelizzo and Stapenhurst (2012) in (Pellizio, 2013) have identified the promotion of a popular demand for oversight as the most important strategy for improving on the performance of legislative oversight. To them, knowledge by the legislators and the people could prompt the exercise of legislative oversight and, if and when oversight function is performed effectively by the legislature. It keeps governments accountable; being also strongly related to political stability, ability to control corruption, level/quality of democracy and the legitimacy of the democratic regime (Pelizzo, 2013).

In Anambra state, even though the Assembly has broad oversight functions and is empowered to establish committees of its members to scrutinise bills and the conduct of government officials, much of the impact has not been felt in the governance system of the State. Since the restoration of democratic rule in 1999, the Assemblies (including Anambra State House) has hidden under the popular maxim of being in the "learning process" to enhance inordinate practices, such as the election in an unofficial hour of Speaker and other House leaders in 1999, allegations of corruption, slow passage of private member's bills and the

creation of ineffective committees to satisfy numerous interests. The consequence is seen in the poor legislative activities and governance.

5. Theoretical Discourse

Discourses on the performance of the legislature in the conduct of the House business, especially as it concerns the basic practices of the legislature can be rightly captured under the guide of the “General Role Theory”. The general role theory helps us to assess the conduct of the individual legislator and legislative assembly as well as check the compliance of their roles to the established processes of conducting the business of the house. In explaining this theory as a model of analysis in legislative studies, one of the major proponents, Eulau (1962), asserts that proper understanding of the role of the legislature could help in assessing the performance of the legislature. Role for an individual legislator refers to a coherent set of “norms” or behaviour, which are thought by those involved in the interactions being viewed, to apply to all persons who occupy the position of legislator (Eulau, 1962). In order to avoid confusion between the role of legislator with the office and position of the legislator for clearer understanding of this theory, there is a need to emphasise the normative aspect of the concept.

A principal position and postulation of the general role theory is that the office of legislator is a clearly recognisable position in the country. In fact, legislators and many other persons in the country associate certain norms and behaviour with those positions. Another is the expectation from the legislator/legislature that makes the laws to adhere to established principles/practices even at the making and protection of the laws and the people. Having such position makes it that one would expect the House to obey the laws/rules or change such rules in line with the procedure. Hence, not adhering to the processes of law making is a clear indication of such legislative house not understanding its roles. To study the role of legislators is to study particular sets of norms, which underlie relevant legislative behaviour consistent or inconsistent with the role explained above.

Secondly, the duties as established by the Constitution are very explicit and are expected to be performed by the House members. This includes both law making and oversight function. The responsibility of the legislative office entrusts in the occupant enormous responsibility of contributing in the making of sound legislations that would be in the general interest of the state, not just a myopic group. Legislation here

includes both the enactment of legislation and assessment of the extent of the implementation of the legislative decision. The other is the supervisory and oversight functions of the legislature. The general role theory helps in the understanding of these expected roles of the office holder (the legislator) and the extent of creditable performance of such roles.

In Nigeria, we may be looking at those attitudinal traits of the legislators, which derive basically from the Nigerian political environment, where the legislator and legislative actions take place. Looking at attitude and its impact on democratic activities (including legislative activities), Nwanegbo (2005:91-94) attributed the failure of Nigerian democracy and democratic practices to the invaluable manner of its practices to the Nigerian familiar administrative interests. In the words of Pye (1969), the nature of administration in the developing societies (including the legislature of course) is such that the psychology of the individual is skewed towards his status (as a legislator for instance) and not the role expected of him in that position as a legislator). In other words, what they received was the status and not the role. This orientation has very negative effect on the functioning of the public officers. They rather see themselves different from their real function. The legislator for instance prides himself as a law maker but could not properly understand or take the roles expected of that status. Based on this therefore, they freely negate the functional procedure and even the conduct, decorum and expectations of those he represents in that position. Hence, they brazenly pervert processes and abandon practices at the detriment of the expected value, legislative activities and democratic governance in general. Circling around the challenges of roles and its misconception, the General role theory would be very suitable in the attempt at analysing the issues in the paper.

6. Legislative Bills in Anambra State 2005 – 2006

The pitfalls associated with the 2003 general elections availed the PDP the opportunity to win thirty (30) State Assembly seats in Anambra State in that year. The crisis that characterised the early part of the life of the House affected their performance for a long time. However, between 2005 and 2006, the House passed nineteen bills into law. The laws are listed in Table 1 below:

Table 1: Laws Passed by the Anambra State House of Assembly 2005 – 2006

S/N	Title	Year
1	Anambra State of Nigeria Appropriation Law	2005
2	Malpractices Against Widows and Widowers (Prohibition) Law	2005
3	Electrical Materials and Building Materials Market Law	2005
4	Women's Reproductive Rights Law	2005
5	Government Quarters (Owners-occupier) Repeal Law	2005
6	Anambra State Governors Pension Law	2005
7	Anambra State Park Administration and Management and Bureau Law	2005
8	Anambra State Universal Basic Education Law	2005
9	Anambra State Governors Pension (Amendment) Law	2005
10	Anambra State Emergency Management Agency Law	2005
11	Commercial Motorcyclists (Amendment) Law	2005
12	Anambra State University of Science and Technology (Amendment) Law	2006
13	Universal Basic Education (Amendment) Law	2006
14	Onitsha Electronics International Market Establishment Law	2006
15	The Anambra State Appropriation Law	2006
16	The Child Rights Law	2006
17	The Public Health Law	2006
18	The Anambra State Supplementary Appropriation Law	2006
19	Technical Vocational and Science Education Board Establishment Law	2006

Source: Office of the Clerk, Anambra State House of Assembly, Awka.

A cursory look at the bills passed by the House between 2005 and 2006, shows that the laws passed covered critical areas that improve the quality of lives and development, including education, investment, business and health among others. For instance, the appropriation laws were important because they are means through which government receives money to finance its projects and programmes and also gives legislators ample opportunity to monitor spending. The Electrical Materials and Building Materials Law and Onitsha Electronics International Market (Establishment) Law 2006 were in line with the government's effort at decongesting Onitsha market, as many streets in Onitsha had turned into big markets, resulting in over-crowdedness, noise, and disease and heavy traffic congestion in Onitsha.

7. The Legislative Bills in Anambra State 2007-2010

In the Legislative cycle that started with 2007 general election, the People's Democratic Party again won and occupied the thirty (30) State representative seats in the Anambra State House of Assembly. The House between 2007 and 2010 initiated fifty (50) bills out of which it passed (31) thirty-one bills into law; one (1) bill was presented and killed; (12) twelve expired on the floor of the House; while (6) six bills were passed but not assented to by the Governor. These are presented below in a table 2.

Table 2: Bills Passed in the Anambra State House of Assembly between 2007 and 2010

S/N	Title	Sponsor	Date Passed	Date Assented
1	Anambra State Appropriation Law, 2007	Executive	19/02/07	10/03/07
2	Local Government (Amendment) Law, 2007	Executive	06/04/07	08/08/07
3	Anambra State of Nigeria Appropriation Bill 2008	Executive	29/04/08	19/05/08
4	Revised Edition (Law of Anambra State of Nigeria) Bill, 2008	Executive	13/05/08	17/06/08

5	Office of the Public Defender Bill, 2008	Executive	20/05/08	17/06/08
6	College of Agriculture, Mgbakwu, Bill, 2008	2 Members	01/07/08	12/09/08
7	Citizen's Right Directorate Bill, 2008	Executive	11/07/08	30/07/08
8	Anambra State Citizens' Mediation Centre Bill, 2008	Executive	22/07/08	14/08/08
9	Anambra State Supplementary Appropriation Bill, 2008	Executive	17/07/08	30/07/08
10	Anambra State Veterinary Institution Bill 2008	Executive	29/07/08	28/08/08
11	Anambra State Road Maintenance Bill, 2008	Executive	19/08/08	26/09/08
12	Customary Court Of Appeal (Amendment) Bill, 2009	3 Members	29/01/09	18/03/09
13	Anambra State Appropriation Bill, 2009	Executive	05/02/09	24/02/09
14	Establishment of the Anambra State Statistical Master Plan (Ssm) and the State Bureau of Statistics Bill, 2009	3 Members	03/03/09	18/03/09
15	Criminal Code (Amendment) Bill, 2009	Executive	17/03/09	14/04/09
16	Anambra State Community And Social Development Agency Bill,	Executive	19/03/09	24/03/09

	2009			
17	Igbo Language Usage Enforcement Bill 2009	5 Members	28/04/09	28/05/09
18	State Joint Local Government Account Distribution Committee Bill, 2009	Executive	14/05/09	28/05/09
19	Constitution of Customary Court Bill, 2009	Member	14/05/09	20/06/09
20	Anambra State Scholarship Board Bill, 2009	Executive	19/05/09	07/07/09
21	Commercial and Private Motorcycle Bill, 2007	Executive	23/06/09	01/07/09
22	Public Education (Transfer Of School) (Special Provision) Law, 2009	Executive	17/09/09	01/10/09
23	Awka Capital Development Authority Bill, 2009	3 Members	06/10/09	25/01/2010
24	Fiscal Responsibility Bill, 2009	Executive	05/08/2010	06/08/2010
25	Administration of Criminal Justice Bill, 2009	Executive	20/07/2010	14/09/2010
26	Anambra State Signage and Advertisement Agency Bill, 2009	Executive	05/08/2010	16/09/2010
27	Anambra State Appropriation Bill, 2010	Executive	21/01/2010	23/01/2010
28	Anambra State Security Trust Fund Bill, 2010	Member	11/05/2010	28/05/2010

29	Usage of Igbo Language among Ndigbo in Anambra State and Diasporas Bill, 2010	All members	11/05/2010	28/05/2010
30	Constitution of Customary Court Bill, 2010	Member	20/05/2010	20/06/2010
31	Technical, Vocational and Science Education Board (Amendment) Bill, 2010	Executive	24/06/2010	19/07/2010

Source: *Office of the Clerk, Anambra State House of Assembly, Awka.*

Table 3: Bills passed but not assented to by the Executive between 2007 and 2010

S/N	Title	Sponsor	Date Passed	Pending
1	Anambra State Governors Pension (Amendment) Bill, 2008	4 Members	03/03/09	Pending
2	Customary Court Of Appeal Law, 2000	3 Members	29/01/09	Pending
3	Old People's Home Service Agency Bill, 2009	Member	14/07/09	Pending
4	Anambra State Governors Pension Bill, 2009	4 Members	6/10/2009	Pending
5	Local Government Amendment Bill, 2010	All members	20/04/2010	Pending
6	Anambra State Independent Electoral Commission (Amendment) Bill, 2010	All members	27/04/2010	Pending

Source: *Office of the Clerk, Anambra State House of Assembly, Awka.*

Table 4: Bills Killed by the Anambra State House of Assembly between 2007 and 2010

S/N	Title	Sponsored	Date Presented	Date Killed
1	Anambra State Traffic Agency Bill, 2008	Executive	12/05/09	12/05/09

Source: *Office of the Clerk, Anambra State House of Assembly, Awka.*

Table 5: Bills Withdrawn or Expired in the Anambra State Assembly between 2007 and 2010

S/N	Title	Sponsor
1	HIV/AIDS Anti – Discrimination and Protection Bill, 2008	Member
2	Anambra State of Nigeria, Order of Precedence (Regulation) Bill 2008	Member
3	Secret Cultism and Similar Activities Prohibition (Amendment) Bill, 2008	5 Members
4	Public Health (Amendment) Bill, 2008	Executive
5	Water Sachet Disposal Bill, 2008	Member
6	Anambra State Youths Social Security and Sports Trust Fund Bill, 2009	Member
7	State Environment Protection Agency (Amendment) Bill,2009	2 Members
8	State Council on Public Procurement and the Bureau of Public Procurement Bill, 2009	Executive
9	Youth Empowerment Commission Bill, 2009	Member
10	Female Genital Mutilation Prohibition Bill, 2009	Member

11	Violence Against Women (Prevention, Protection and Prohibition) Bill, 2009	Member
12	Anambra State of Nigeria Appropriation Law (Amendment) Bill 2010	Member

Source: *Office of the Clerk, Anambra State House of Assembly, Awka.*

A critical look at the bills passed by the Anambra State legislature between 2007 and 2010 shows executive dominance of House activities, considering the number of bills that emanated from the executive arm of government. The executive arm practically dictated for the legislature in the State, especially within the period under review. The fact that member bills were left either to expire or the Governor withholding assent lend credence to this observation. For example, all the six bills passed by the House but not assented to between 2007 and 2010 are member bills. Such bills include the Anambra State Independent Electoral Commission Bill 2010, which aimed at repositioning the State electoral body to enable it conduct credible local government polls, and Local Government (Amendment) Bills 2010, among others.

The persistent occurrence of appropriation bills is understandable as such bills represent yearly income and expenditure of the government, which enables the government to pursue its development agenda. Agreeably, the performance of the House between 2007 and 2010 was encouraging, as the House passed a good number of bills. However, it is important to note that some very important and development-oriented bills like Public Health (Amendment) Bill, 2008, State Council on Public Procurement and the Bureau of Public Procurement Bill, 2009 etc. were allowed to expire in the House.

8. The Legislative Bills in Anambra State 2010-2015

A change in the structure of political party activities in the state led to movement of some members of the State House of Assembly from the PDP (that won the 2007 election) into the political party (All Progressives Grand Alliance, APGA) that eventually emerged to control the instruments of government (executive) in Anambra State. With it, even before the State Governorship election in 2010, APGA had taken a dominant position in the state House of Assembly affairs. Following that, the nature of laws passed within the period reflected much of the positions

of the executive arm of government. The House received a total of Eighty (81) bills and passed Fifty-Nine (59) of them into law.

Table 6: Bills Passed in the Anambra State House of Assembly between 2010 and 2015

S/N	Title	Sponsor	Date Presented	Date Passed	Date Assented
1	Anambra State Appropriation (Amendment) Bill, 2010	Executive	11/03/2010	11/03/2010	18/03/2010
2	Local Government (Amendment No.4) Bill, 2010	29 Members	20/04/2010	20/04/2010	28/05/2010
3	Anambra State University (Amendment No. 2) Bill 2010	Executive	27/07/2010	27/07/2010	18/08/2010
4	Administration and Collection of Revenue Bill, 2010	Executive	11/11/2010	02/12/2010	17/01/2011
5	Waste Management Authority Bill, 2011	Executive	08/03/2011	17/05/2011	20/06/2011
6	Traffic Agency Bill, 2011	Executive	08/03/2011	17/05/2011	20/06/2011
7	Strategic Reserve Fund Bill, 2011	Executive	12/05/2011	19/05/2011	27/06/2011
8	Local Government (Amendment No. 5) Bill, 2011	3 Members	26/05/2011	26/05/2011	17/06/2011
9	Anambra State Public Procurement Bill, 2011	Executive	31/05/2011	31/05/2011	07/07/2011

10	Building and Civil Engineering Material Quality Bill, 2011	Executive	02/06/2011	07/06/2011	27/06/2011
11	Motor Vehicle Emblem Levy Bill, 2011	Executive	07/06/2011	07/06/2011	07/07/2011
12	Destruction of Road and Road Infrastructure Bill, 2011	Executive	07/06/2011	07/06/2011	07/07/2011
13	Property and Land Use Charge Bill, 2011	Executive	06/09/2011	29/11/2011	19/12/2011
14	Local Government Consolidated Emblem Levy (Amendment) Law, 2011	Executive	10/11/2011	10/11/2011	11/11/2011
15	Criminal Code (Amendment) Bill, 2011	Executive	10/11/2011	10/11/2011	11/11/2011
16	Public Education (Transfer of Schools) (Special Provisions) (Amendment No. 6) Bill, 2011	Executive	10/11/2011	10/11/2011	11/11/2011
17	Appropriation Bill, 2012	Executive	14/12/2011	20/02/2012	30/03/2012
18	Property and Land Use Charge (Amendment) Bill, 2011	Executive	07/02/2012	07/02/2012	24/02/2012
19	Prohibition of Fraudulent Practices on Land Bill, 2012	Executive	14/02/2012	26/04/2012	21/05/2012
20	Local Government	24 Members	12/03/2012	12/03/2012	11/04/2012

	(Amendment No. 6) Bill, 2012				
21	Anambra State Revenue Administration (Amendment) Bill, 2012	2 Members	03/05/2012	17/05/2012	15/06/2012
22	Customary Court (Amendment) Bill, 2012	Member	22/05/2012	22/11/2012	21/12/2012
23	Dr. Nnamdi Azikiwe Monument Administration Bill, 2012	Executive	25/09/2012	25/09/2012	23/10/2012
24	Supplementary Appropriation Bill, 2012	Executive	16/10/2012	16/10/2012	07/11/2012
25	Anambra State Physical Planning, 2013	Executive	15/05/2012	05/03/2013	16/08/2013
26	Anambra State Appropriation Bill, 2013	Executive	18/12/2012	13/03/2013	04/04/2013
27	Local Government (Amendment No. 7) Bill, 2012	Executive	12/03/2013	12/03/2013	12/03/2013
28	Anambra State Vigilante Group Bill, 2013	Executive	23/04/2013	11/02/2014	05/12/2014
29	Indigent Senior Citizens Relief Bill, 2013	Executive	23/04/2013	09/05/2013	20/06/2013
30	Waste Management Authority	Executive	30/04/2013	14/05/2013	20/06/2013

	(Amendment) Bill, 2013				
31	Water Supply and Sanitation Bill, 2013	Executive	30/04/2013	02/06/2015	15/07/2015
32	Pension Bill, 2013	Executive	14/05/2013	17/09/2015	15/11/2013
33	Statistics (Amendment) Bill, 2012	Member	21/05/2013	28/05/2013	27/06/2013
34	Supplementary Appropriation Bill, 2013	Executive	13/06/2013	13/06/2013	12/07/2013
35	College of Education, Nsugbe (Amendment) Bill, 2013	Executive	13/06/2013	20/06/2013	24/07/2013
36	Strategic Reserve Fund (Amendment) Bill, 2013	Executive	13/08/2013	26/09/2013	05/11/2013
37	Criminal Code (Amendment) No. 3) Bill, 2013	Executive	19/09/2013	12/12/2013	07/01/2013
38	Appropriation Bill, 2014	Executive	12/11/2013	03/04/2014	11/04/2014
39	Chukwuemeka Odumegwu Ojukwu University Bill, 2013	Executive	12/12/2013	11/09/2014	12/11/2014
40	Pension Reform (Amendment) Bill, 2013	Executive	12/12/2013	17/12/2013	07/01/2014
41	Local Government (Amendment No. 8) Bill, 2014	Executive	13/02/2014	25/03/2014	22/04/2014
42	Joint Local Government Accounts	Executive	13/02/2014	03/04/2014	11/04/2014

	Committee (Amendment) Bill, 2014				
43	College of Nursing Science, Nkpor Bill, 2014	Executive	27/03/2014	05/05/2014	15/09/2015
44	Appropriation (Amendment) Bill, 2014	Executive	29/08/2014	03/04/2014	11/04/2014
45	Supplementary Appropriation Bill, 2014	Executive	29/08/2014	02/09/2014	12/09/2014
46	State Seal and Symbol Bill, 2014	Executive	29/08/2014	09/09/2014	27/11/2014
47	Primary Health Care Development Agency Bill, 2014	Executive	25/09/2014	23/12/2014	01/01/2015
48	Investment Promotion and Protection Agency Bill, 2014	Executive	15/04/2014	15/04/2014	22/04/2014
49	Awka Capital Development Authority (Amendment) Bill, 2014	Executive	15/04/2014	15/04/2014	22/04/2014
50	Oil and Gas Development Agency Bill, 2014	Executive	15/04/2014	17/04/2014	24/04/2014
51	Pension Reform (Amendment No. 2) Bill, 2014	Executive	10/06/2014	19/06/2014	26/06/2014
52	Tourism and Hospitality Bill, 2014	Executive	25/09/2014	31/05/2015	-

53	Appropriation Bill, 2015	Executive	24/11/2014	10/12/2014	01/01/2015
54	Customary Court of Appeal Bill, 2014	Executive	20/11/2014	26/05/2015	15/07/2015
55	Anambra State Rural and Urban Transmission Supervisory Unit Bill, 2014	Executive	10/12/2014	23/12/2014	01/01/2015
56	Breaches of Peace and Unlawful Assemblies Prohibition Bill, 2015	Executive	20/01/2015	20/01/2015	20/01/2015
57	Waste Management Authority (Repeal) Bill, 2015	Executive	16/04/2015	04/04/2015	15/07/2015
58	Small Business Agency Bill, 2015	Executive	16/04/2015	02/06/2015	15/07/2015
59	Traffic Agency (Amendment) Bill, 2015	Executive	26/05/2015	04/06/2015	15/07/2015

Source: *Office of the Clerk, Anambra State House of Assembly, Awka.*

Twenty-Two (22) other bills that came to the House within that period never became laws, either because they were not passed by the House or they were passed but did not receive the Governor's assent. Incidentally, only six (6) of them were Executive bills and some of those whose processing could not be completed were either withdrawn or changed by the Executive, re-presented and passed. As can be seen, of the fifty-nine (59) bills passed and assented to by the Governor, only six (6) of them were private members bill. In fact, even from those Six (6), three (3) had very visible imprint of the Executive as they were issues that were notoriously sustained by the government of Anambra State and they are Laws used to either extend the tenures of or appoint new persons into the Local Government Caretaker/Transition Committees to avoid conducting Local Government Elections in line with the Constitution.

What is discernible from the discourse is that the Anambra State Legislature really did not take itself away from serving the executive and doing their wishes in most of their legislative activities. Though what is being advocated is not conflict between the House and the Executive, nevertheless, one would expect bills that show clear evidence of emergence from the constituencies, showing the members as the people's representatives, to be accorded recognition. Again, it is on record that a whole lot of procedural disorders occurred at the House in the process of legislating as they sometimes were in a hurry to pass bills of high interests to the executive. A look at the bills in items number 27 and 56 explains this. Looking at the records, it could be seen that those bills were presented, went through all the processes, passed and assented to the same day. That does not only show high interest, it also shows high level of collaboration or seeming subordination by the House to the Executive. Many others went through all the processes (from presentation to passage) same day and got assent soon after the passage of the bill (see table 6 above).

The other aspect that is of high interest is on how the House managed the oversight function. Considering the outlined eight (8) tools of oversight, the study had difficulties at arriving at a sharp conclusion. In fact, the record shows how regular the House Committees visited Ministries, Departments and Agencies (MDAs) on oversight function. However, what was not visible was the impact of such visit on the governance system in the state. Looking at the spate of misuse of legislative processes for the satisfaction of the executive, it might be difficult for such House to sincerely breathe down the neck of the government's MDAs, except for some interests other than administrative regulation. The opinion is that such visits had more private objectives than regulation. Though we do not have other proofs to attribute it to some other thing, yet understanding the opinions of Obasanjo (2015) on the spate of corruption in the Assemblies in Nigeria, the oversight activities of the legislature in Nigeria is usually a money making exercise.

Secondly, the record of the House indicates that they have done most of their oversight through committees attached to the issues of concern to specific MDAs, and, at such visits, many of the committees are received and hosted. Other tools and methods like questioning, hearings, inquiry, missions were not in popular use. Interpellation was used essentially once, leading to the impeachment of Governor Peter Obi, but the method did not adhere to the process, hence the court overturned it.

Conclusions

This study does not intend to discredit the performance of Anambra State legislature. Rather, it has simply revealed faulty practices and the inefficiencies that characterised legislative performance in Anambra State. Again, it explains the effects of poor representation and consequences of neglecting peoples' view by the representatives in policy making process. Such could be largely attributed to electoral pitfalls that has not only been monetised but also precludes the people from speaking through the ballot box. It has given the executive and indeed political godfathers the opportunity to determine legislative process, as in the case of the above executive dominance of bills of the State Assembly.

To control this, the constituents need to understand their own role of making effective demands on their representatives. Achieving this requires knowledge that can break the collaboration between the executive and the legislature in the manner that could hurt democracy. To do this, the people need more information on the activities of the House. With the information, more serious demands could be made. There is the need to start demanding reports beyond the cosmetics being experienced at the town hall meetings these days and request details of what the legislator has done within a particular period. There is also the need to request consultation before participating in certain levels of decision. It is not in doubt that if the people had been aware, the level of legislative collaboration on extending ad-hoc committees at the Local Government System could not have dragged in the state. Such is also true of some of those bills passed in haste.

Secondly, the Civil Society Groups need to take more interest in the affairs of the legislature. With their assistance, more information could be assessed from the House and made available to the public to strengthen the people's demands and regulations.

Thirdly, there is also a great need to extend more training and orientation to the members of the House to acquaint them with the real duties of the legislature and of being a legislator. With this, we may find that many of them are actually not consciously acting out of the processes and that could help the legislative activities in the House.

References

- Bandor, M. (2007), "Process and Procedure Definition: A Primer", Carnegie Mellon University)
- Bennion (1978), "Statute law Obscurity and the Drafting Parameters", *British Journal of Law and Society*.
- Booker, G. (2001), "Computer Sciences Corporation Federal Sector Defense Group Supply Chain Solutions JCALS Quality Management Organization", August 28.
- Eulau, H. (1962), "The legislator as Representative: Representational Roles", in J. C. Wahike, H. Eulau, W. Buchannam and L. C. Ferguson (eds.), *The Legislative System: Explorations in Legislative Behaviour*, New York: John Wiley and Sons, Inc.
- Federal Republic of Nigerian (1999), *The Constitution of the Federal Republic*, Lagos: Federal Government Press.
- Heyel, C. (1973), *The Encyclopaedia of Management*, New York: Reinhold Publishing Corporation Ltd.
- Ikejiani-Clark, M.O. and Nwanegbo, C.J. (2010), "Impeachments and the Misuse of Legislative Representations in Nigeria: An Analysis of Anambra State Impeachment, 2006", *African Political Science Review*, Vol. 2. No.1.
- Kaiser FM. (2001). Congressional Oversight, CRS Report for Congress 97-936, Updated 2012 version: Halchin LE.
- Lefenwa, S. A. (2006), "The Legislature and Democratic Governance, in South Western Nigeria, 1960 - 2003", An Unpublished Ph. D Thesis Submitted to Faculty of Social Science, University of Ibadan, Ibadan-Nigeria.
- Mill, John Stuart (1861), *Considerations on Representative Government*, London: Parker, Son, and Bourn.
- National Network, October 06, 2016
- Nwanegbo C. J. (2005), "Poor Attitudinal values and Democratic Disorder in Nigeria: A Critical Analysis of Nigerian Electoral System", in *Ogirisi: A New Journal of Africa Studies*, Vol. 2. No. 2. January.
- Report of Select Committee on the Constitution (14th Report of Session 2003-04) of the British House of Lords, Volume I Report, October 2004, Published by the Authority of the House of Lords).
- Mamoria, C.B. and Gankar, S.V. (2009), *Personnel Management: Text and Cases*, Mumbai: Himalaya Publishing House PVT Ltd.
- Report of Select Committee on the Constitution (14th Report of Session 2003-04) of the British House of Lords
- Office of the Clerk, Anambra State House of Assembly, Awka

Order XII Rule 2 (1) (6) of the House of Representatives

Pelizzo, R. (2013), "Legislative Oversight", Unpublished Slide Presentation.

United State of America, Final Report of the Joint Committee on the Organization of Congress - Congressional Oversight

Order XII Rule 3 (1) of the standing orders of the House of Representatives

Wahike, J. C. (1962), "Theory: A Framework for Analysis", in J. C. Wahike, H. Eulau, W. Buchannam and L. C. Ferguson (eds.), *The Legislative System: Explorations in Legislative Behaviour*, New York: John Wiley and Sons, Inc.

Woodrow Wilson (1885), *Congressional Government*, Boston: Houghton Mifflin.