

**SENATE COMMITTEE ON ETHICS, PRIVILEGES AND PUBLIC PETITIONS OF THE
NIGERIAN NATIONAL ASSEMBLY: A PERFORMANCE ASSESSMENT (2015-2019).**

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CHAPTER ONE:

INTRODUCTION

1.1 Background of the Study

Globally, the elected Members of the Parliament (MPs) who must ensure that they function in an internally democratic manner and have the necessary authority and resources to carry out their basic functions of legislation, representation and oversight. Although, these MPs are usually faced with enormous challenges relating to carrying out their core functions of law making, representation and oversight, they seek for ways to improve their performance in order to be more open, accountable, responsive and independent.

For effective parliamentary performance, Committee system is very vital. This is so because, the parliament performs most of its core functions through the viable means of the Committee system. Committees are the defining characteristic of the modern legislature. Therefore, the Committees form an integral part of parliament through which legislators carry out their assiduous tasks. The committees are small groups or sub-divisions of legislators assigned on temporary or permanent basis during the life-span of a parliament to examine matters more closely than could be done in the plenary (see National Assembly Hand Book, 2011). It is an essential part of legislative process. Legislative committees (sometimes called commissions) are units of organization within a legislative chamber. The possible roles of the committees vary from country to country, depending upon the governing system, strength and organization of political parties, available resources and other relevant factors. The legislature is an important relevant group in committee work because the chambers establish the committees and give them terms of reference. This occurs through the standing orders, by separate resolution, or through legislation. Legislatures occasionally examine ways in which their committees might be more effective and often conclude

that their committees are effective. What these inquiries do less often is to seriously debate the rationale for committee work and, by extension, the ways in which they demonstrate effectiveness. None of these inquiries set quantitative performance benchmarks.

In discussing committee effectiveness, the unique feature of the legislature is that committee members are drawn from the legislature. Therefore, views expressed by the legislature about a committee may well overlap with the views of the committee itself about its work. Research conducted by the Hon. Ken Coghill (previously a Speaker in the Victorian Parliament) and Professor Colleen Lewis demonstrates that committee members generally find their committee work very satisfying. Therefore, any performance information that drew on the opinions of committee members in relation to their own work may be biased upwards.

Assessing parliamentary effectiveness requires some form of criteria and measurement of performance. Over the past decades, the World Bank, along with its partners, developed effective benchmarking frameworks for parliamentary evaluations. Trapp (2006) stated that these exercises have been found to be beneficial for parliaments to self-evaluate their performance. And the frameworks also provide a useful tool by which development partners can have a conversation with parliaments as to how they can collaborate in order to strengthen parliamentary performance. Although, there is a common understanding of what does not constitute a democratic parliament, such as executive dominance and corruption of MPs and parliamentary officials, the frameworks have all drawn on or been influenced by one another. For instance, the National Democratic Institute for International Affairs (NDI) provided technical support to the IPU as it developed its good practice guide, and the IPU guide was one of the resource documents, together with an NDI discussion paper, used by the CPA parliamentary study group to create the CPA's benchmarks for democratic legislatures. The intendment is basically to aid parliaments work together with

development partners to enhance parliamentary performance, thereby strengthening participation, transparency, and oversight in country systems. Moreover, all of the frameworks cover the core functions of parliament as earlier stated which includes but not limited to legislation, representation and oversight and approval of budget (Trapp, 2010).

Trapp (2010) stated that every parliament is a product of its own country's history and culture, and there is no magic formula or checklist for developing an effective parliament. However, an emerging international consensus finds that certain norms and standards regarding democratic parliaments transcend the particularity of political and legislative systems. Context matters enormously, but a benchmarking or self-assessment exercise, if done well, should allow context to be fully explored. International consensus has emerged over time on a standards-based approach in the areas of human rights and elections,² but until recently, a standards-based approach around what constitutes a democratic parliament had fallen behind.

In our contemporary world, the development of standards and assessment frameworks of parliaments can contribute immensely to the self-evaluation of parliament and its reform efforts as well as guide parliamentary development practitioners and donors in designing more appropriate support programs. However, various international parliamentary organizations, such as Commonwealth Parliamentary Association (CPA); United Nations Development Programme (UNDP); the InterParliamentary Union (IPU); the World Bank; the l'AssembléeParlementaire de la Francophonie (the Parliamentary Assembly of La Francophonie, or APF); the Southern African Development Community Parliamentary Forum (SADC PF) and so on, all concede to the fact that the act of building consensus around standards is expedient for further internationalization of debates on what constitutes democratic parliaments and democracy in general.

This paved way for several international organizations to begin researches on ways to measure parliamentary performance bearing in mind the fact that there is no natural indicator for the results of the parliamentary actions.

Consequent upon this, the Inter-Parliamentary Union (IPU) created a model to evaluate the way the parliament works. This model measures the performance based on a survey done among parliamentarians, parliamentary staff, political parties, civil society organizations or other interested citizens, academics or researchers in which they should evaluate four different items about the effectiveness of the parliament in a 1 to 5 scale (very low/very poor, low/poor, medium, high/good, very high/very good). It measures 5 basic principles: representativeness, transparency, accessibility, accountability and effectiveness. The evaluation process is based on the definition of best practices for measuring democracy in a parliament and also identifies its weaknesses and strengths, helping in the formulation of an action plan through the issuance of recommendations to the Parliament.

The National Democratic Institute for International Affairs (NDI), a nonprofit organization which aims to strengthen and expand democracy, developed the first model of parliamentary assessment, created as a set of standards that should be met to determine if the Parliament is adherent to democratic values considered relevant by NDI.

This model helps to point out if a Parliament have the power and if it is able to exercise these powers. It is not sufficient to have the legal rights to do; the parliament must have enough independence to use them. It is also important to highlight that the answers given on a survey done among parliamentarians, their advisers and members from the civil society, are subjective and measure a feeling more than actual results achieved by the parliament, so it does not measure efficiency or efficacy.

Similarly, the Commonwealth Parliamentary Association (CPA) published a benchmark for democratic legislatures in 2006. Such benchmark is constituted by several items that identify the qualities a parliament should have. This model includes, for instance, auditing immunity and remuneration of parliamentarians, procedures and sessions, organization and competence of committees, and parliamentary advice, among other subjects that affect parliamentary activities. The idea is to set the minimum standard parliaments should aim for. Once selected from that list of items, a scale method (1-5 is suggested, however some questions admit only 1 OR 5 as answer) should be used to complete the analysis.

The Assemblée Parlementaire de la Francophonie (APF) created a benchmark which was largely based on the one developed by the CPA. The differences are mainly related to the differences between the parliamentary institutions of these organizations. In his work, APF deepened the CPA benchmark in the areas related to elections having 117 criteria (30 more than CPA). This model is closer to a guide of good practices to empower the parliaments that apply the APF Criteria.

The European Commission decided to develop his own model to analyze the Parliaments. The work, which started in 2010, had as its main goal the support to Parliaments all over the world. It is developed having the IPU and CPA instruments as a starting point and uses two checklists to complete his work. The first one helps to determinate the existence of a set of minimum conditions necessary to allow a parliamentary development program to be successful. The second is a tool designed to identify the current strengths and weaknesses of parliamentary functions.

Suffice it to say that the existence of a performance management model is not compatible with the lack of measurement. Thus, this measurement should be done using indicators, values and measurement tools that are capable of quantifying efforts and results. According to the indicator

model from the National Program for Public Management and deBureaucratization (Gespublica) a measurement system should allow: “a) generation of indicators in different dimensions of efforts and results with different weight between them (once they represent measurements of distinct importance); and b) the generation of a grade for each indicator (which will require not only to find the value of the indicator at the time of the measurement, but also to compare the value found with a target-value, that could be a target itself or a benchmark) that express a relative measurement (real measurement in relation to an “ideal” measurement).” (BRASIL, 2009, p. 10).

Basically, the role of the Commonwealth Parliamentary Association (CPA) is very vital in the development and promotion of benchmarks for good parliamentary practice. The influence of the CPA’s landmark publication of Recommended Benchmarks for Democratic Legislatures in 2006 has spread far beyond the 53 countries of the Commonwealth, with many other parliamentary associations having subsequently drawn up their own sets of criteria, often drawing heavily on the pioneering work of the CPA (Trapp 2006).

However, the Recommended Benchmarks for Democratic Legislatures has subsequently proven to be a practical tool for the improvement of parliamentary processes mostly across the Commonwealth. The belief is that, beyond mere assessment, the benchmarking process tends to provide opportunities for parliamentarians to reflect upon and improve the operations of their parliaments whilst widening inter parliamentary discussions. Obviously, the CPA aim to work to develop further benchmarks to enhance good governance and build trust in Parliament and Parliamentary openness, social media, and the behaviour of parliamentarians have all been identified as areas where the benchmarks need to be developed and refined. It is important to state that before the CPA benchmarks, parliaments and parliamentarians were used to being constantly assessed by outsiders. The benchmarks finally allowed parliamentarians to assess themselves

against standards developed by their peers. Assessment and scrutiny of parliament will no doubt continue to increase over the coming decades. But through the hard work of its members and member parliaments, the CPA will continue to ensure that parliamentarians remain at the heart of the reform process.

In determining the views of the legislature about committee reports, the most robust approach would be to give a sample of Senators and Members a list of a sample of recent committee reports. They would then rate the reports on a numerical scale. Any who sat on a particular committee would be excluded from commenting on their own reports. This questionnaire approach, however, is not always practical and a proxy may be required. Such a proxy could be to check Hansard to determine whether any parliamentarians positively referred to a committee report in debate. Once again, anyone who was a committee member for a particular report would be excluded from this analysis. Indeed, it is routine for members of House committees to support their reports in ‘take note’ debates in the House. What sets a report apart from the rest is when parliamentarians outside the committee use the report in their speeches. In setting the benchmarks, one approach could be to state that the legislature has found a report or inquiry to demonstrate a minimum level of effectiveness once a member of the legislature has positively referred to it in Hansard. Similar to the approach with government responses, a lack of a positive indication does not mean that the committee has been ineffective. Other relevant groups may have found the report effective. If members of the legislature criticize a report, then it may be prudent to take this into account. A simple system of cancelling each positive reference for each negative reference may address this. Therefore, if the number of parliamentarians making negative references to a report outweighs the number making positive references, then the committee will

not have demonstrated effectiveness from the perspective of the legislature. However, these benchmarks are preliminary. They will depend on the data and further debate.

Nevertheless, the classification of parliament into constituency, chambers, committee and party or caucus tend to give room for proper legislative activities.

In Nigeria, the parliament is the National Assembly which forms the legislative arm of government. Section 4 of the 1999 constitution of the Federal Republic of Nigeria (as amended) empowers the parliament to make laws for effective governance. In order to carry out this mandate, both the Upper (Senate) and Lower (House of Representatives) Chambers through their standing rules constitute their own Committees (Special and or Standing). The Committee on Ethics, Privileges and Public Petitions is one of the Special Committees of the Senate established under Order XIII Rule 96 (Senate Standing Orders, 2011).

In line with the Senate Standing Order (2011), the jurisdiction of the Committee on Ethics, Privileges and Public Petitions, in a nutshell, includes: considering petitions referred to it, reporting and recommending to the Senate appropriate actions to be taken; recommending to the Senate such administrative actions deemed appropriate to establish and enforce standards of official conduct for the Senators and overseeing the activities of the Code of Conduct Bureau. The committee has three branches: first branch is the Ethics/Code of Behaviour, which is often left largely to individual or corporate morality to handle, and at best, at the discretion of leadership in the Senate. Notwithstanding, there is a defined body of approved ethical behaviour of the legislature in an approved book *Legislative Act and Privileges of the House*. The Second branch is the issues of privileges, which deals with the privileges of members of parliament and the third branch is the public petitions aspect of the committee which is the most pronounced, most visible aspect of the three large areas of the committee's responsibilities and the focus of this research

1.2 Statement of the Problem

Performance relates to the achievement of results that are expected as an outcome of carrying out certain activities. The outcome must be considered in terms of the objectives, goals and understanding of success of the institution being measured. Hence, one way to measure performance is analyzing the effort made by a project, process, task or organization to achieve a result (Australia, 2004; Brazil, 2009).

Performance can be considered as the action of an institution aiming a result. Thus, result measurement is connected not only with the result of certain institution but also with the processes that lead to such result. (Nichols, 1997; Brazil, 2009).

The obligation of every democratic government is accountability. At all levels of government, accountability must be achieved through information dissemination as regards usage of public resources as well as goods and services rendered to citizens. Democratic government therefore could be said to be wholly or totally accountable based on the possible measurement of their performances. This performance is more easily measured in certain areas, for instance, in education, certain number of students enrolled in the public educational system can be measured; in health, available public hospital beds and the number of people who used hospital care can be measured, and/or even in infrastructure, certain kilometers of roads paved can be measured.

In the legislature, it is difficult to measure the performances because of its representation, oversight, legislation and budget approval functions, but goods and services provided by the Legislature should be measured and the processes involving their production should follow efficiency, efficacy and effectiveness principles. Moreover, the Legislative Power involves a set of efforts and work that cannot be measured in a single indicator. Consequently, performance monitoring is basically required to assure that the goals of having a strong and robust legislative

system is achieved thereby assuring a more efficient, effective, and effectual performance. At the same time that the parliament, in its obligation to supervise the executive branch, should analyze the performance of the public service provided by the executive, the service provided to the people by the parliament should not be excluded from this rule, making necessary to improve parliament and its members. (Cameron, 2004; Bird et al., 2005; Johnson and Talbot, 2007; Donohue and Holland, 2012)

In Nigerian National Assembly, the Senate Committee on Ethics, Privileges, and Public Petitions (SCEPPP) has been one of the oldest Committee of the parliament. It is a type of special committee that starts with the life of the parliament. (Senate Standing Rules, 2015 Order 96). The Committee, however is unique in the sense that it acts as an ombudsman and an Alternative Dispute Resolution System established to support the democratic process by ensuring that the yearnings and aspirations of the citizenry are well protected or guarded against being abused. The Committee is saddled with the responsibility of providing citizens with a platform to enable them seek redress from actions and inactions of government and its agencies. Moreover, the committee also hold fellow senators accountable in their official conduct by enforcing standards, as well as overseeing the Code of Conduct Bureau - an agency charged with the responsibility of upholding the code of conduct for public officers contained in the Fifth Schedule of the 1999 Constitution.

However, the National Assembly through its Committee on Ethics, Privileges & Public Petitions (CEPPP) presents a special platform through which people can air their grievances against the conduct of any public authority charged with the responsibility of administering laws made by the National Assembly or administering monies appropriated by the National Assembly.

The researcher observed that there exists a number of study survey about parliaments and legislative activities but despite the ubiquity in and centrality of Committees to the operations of legislatures, Committees remain insufficiently studied. Equally, the researcher observed that a number of researches have been conducted even in the various Committees in Parliaments but not much has been written on the Committee on Ethics, Privileges and Public Petitions, and its functions, despite the uniqueness of the Committee. It is on this note therefore, this study sought to evaluate the performance of the SCEPPP viz-a-viz its consideration of public petitions during the legislative span of the 8th Senate.

1.3 Research Questions

The following questions will guide the study:

1. What are the roles played by the 8th Senate Committee on Ethics, Privileges and Public Petitions in considering and resolving Public Petitions?
2. What are the challenges of the SCEPPP especially during the 8th Assembly?
3. What are the panaceas to challenges facing the SCEPPP?

1.4 Research Objectives

The main objective of this research is to appraise the performance of SCEPPP in carrying out its mandate as it relates to petitions. The specific objectives include:

- i. To examine the roles played by the 8th Senate Committee on Ethics, Privileges and Public Petitions in considering and resolving Public Petitions
- ii. To identify the challenges of the 8th SCEPPP in the resolution of public petitions
- iii. To proffer solutions to the challenges militating against the effective performance of the SCEPPP.

1.5 Significance of the Study

Foremost, this study will serve as the basis for future academic research. Policy makers will find the study relevant because it will aide in the formulation of policies on how grievances should be resolved in government sectors and also in advising government in an efficient and effective way by which resolutions of the legislature could be implemented. The study will also benefit the policy makers by closing the gap between the legislator and representative by creating public awareness of the activities of Legislators in Nigeria. Other beneficiaries of the study are the petitioners, respondents, Heads of MDAs, stakeholders, researchers, Civil Society Organisation, etc. as it would enable them to understand the activities of the Committee in strengthening democracy.

1.6 Scope of Study

The scope of this study covers the areas of geography, time, and analysis. Hence, the geographical scope is the National Assembly Abuja. The choice of the National Assembly is attributed to the largely subservient nature of state Houses of Assembly to their respective Chief Executives. The time scope is the period 2015 to 2019, while the analytical scope is to examine the effectiveness of the Senate Committee on Ethics, Privileges and Public Petitions focusing on the public petitions, using the 8th Senate as a case study. This is because the Ethics and privileges aspects of the committee's mandate are often believed to be riddled with political undertone. Therefore, the study would x-ray the importance of parliamentary committees in Legislature and Committee on Ethics, Privileges and Public Petitions functions as a show room of National Assembly, the ombudsman and a Dispute Resolution System established to support the democratic process by ensuring that the yearnings and aspirations of the citizenry are well protected or

guarded against being abuse. However, because of its historical nature, lessons will be drawn from the 7th Senate where necessary.

1.7 Limitations of the Study

As with most human endeavor, this study was limited by a number of factors. One of such limitation is individual preferences which determine cases to be reported. Besides, *political reasons* hindered the gathering of evidence for this report, thus, constituting sample bias. Finally, the inability to secure an interview date with petitioners and respondents is another challenge as petitions are often received from different parts of the country and the SCEPPP is on recess. However, this study took steps to make logical deductions from the sessional reports of the SCEPPP as well as case files to suffice for the limitations to be encountered.

1.8 Definition of Key Terms

Parliamentary Committees: this refers to the subunit of the supreme legislative (law – making) authority of a Nation.

Petitions Process: The process of handling petitions from submission point to report and consideration point.

Petitions: Petition is a formal request to a public authority, usually a governmental institution with the purpose of changing public policy, calling for an official statement, or evoking certain acts by a public institution.

8th Senate: the upper chamber of the Nigerian National Assembly inaugurated on the 9th of June, 2015 (Premium Times Nigeria, 2015, June 9th).

Senate Committee on Ethics, Privileges and Public Petition: is a fact-finding/investigatory body, the committee of the 8th Senate mandated by the provision of Order 96 (2) no. 4 of the Senate Standing Order (2011, as amended), to conduct all petitions referred to it by the Senate and

recommend and enforce standards of official conduct of the Senators, as well as monitors and oversee the activities of Code of Conduct Bureau.

1.9 Organization of Chapters

This dissertation is divided into five chapters. Chapter one contains the general introduction which consists of the background, statement of the research problem, research objectives and questions, significance of the study, scope and limitations of the study, and the outline of the research. Chapter two provides a thorough review of literatures and theoretical framework. Chapter three focuses on a comprehensive statement of the research methodology. Chapter four will provide the presentation of data and discussion of results. Finally, chapter five provides a summary of the study, recommendations, contributions of the research to the body of knowledge and conclusions based on the findings from this study.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter reviewed literature on the variables studied. Hence it was divided into three sections, namely: conceptual review, empirical review, and theoretical framework.

2.1 Conceptual Review

Conceptually, the study tried to review certain related concepts such as Ethics, Privileges, Public Petitions, Committee System and Legislative Performance.

2.1.1 Ethics

The evidence of what are ethical directives is not always clear and people sometimes disagree over what is right or wrong. These factors make people to believe that ethics can be based on personal opinion. Historically, the term 'Ethics' comes from the Greek word "ethos" which means the customs, habits and mores of people. Ethics therefore, is the philosophical reflection upon the rules and way of living together, the customs and the habits of individuals, groups or mankind as such.

Karen L Rich (2013) in his book "*introduction to Ethics*", stated that Ethics as a philosophical discipline is a systematic approach to under-standing, analyzing, and distinguishing matters of right and wrong, good and bad, and admirable and deplorable as they relate to the wellbeing of and the relationships among responsive beings. He added that Ethics are usually considered as matters about freedom in regard to personal choices, one's obligations to other sentient beings or judgments about human character. In other words, Ethics is used as collection of actual beliefs and behaviours thereby using it interchangeably with moral. Accordingly, to Rich (2013), ethics is a philosophical study of the concepts of moral right and wrong and moral good

and bad, to any philosophical theory of what is morally right and wrong or morally good and bad, and to any system or code of moral rules, principles, or values. Ethics is the study of what is right or wrong in human conduct in relation to his/her profession.

Similarly, Humn Perveen and Nayeem Showkat (July, 2017) stated that Ethics are moral principles that governs people's behaviour. There are actually norms for conduct that distinguish between right and wrong, acceptable and unacceptable behavior.

Additionally, Rogers (1937) defined ethics as "science which investigates the general principles for determining the true worth of the ultimate ends of human conduct"

Rogers in his own opinion, reiterated that "Ethics deals with human well-being, and discusses; the nature of "individual" good , the nature of "social" good , the relation between these, the ethical motives that exist for the individual to pursue "social good", or to whatever is "morally right" , the relation between "pleasure" and "good" , the nature of "virtue" (in antique ethics), duty and moral obligation (in modern ethics), the freedom of the will, the ethical worth of "Positive Morality". Furthermore, Rogers explained that Ethics seeks for a principle that will determine the true worth of the ends of conduct, to see if the true worth is said to be "good". This implies that ethics is the end result of an action that has been performed. Some ends are pursued chiefly, as a means of realization of other ends. The final result, however, is one that is desired for its own sake, quite apart from its utility in helping towards the attainment of other ends.

However, ethical concept in the parliament are not always clearly evidenced. In support of this argument, the UNDP (1999) explained "ethics regime" as a set of standards to govern members conduct and a system to administer those standards. This explanation was that the nature of the legislators' positions requires them to continually face difficult ethical dilemmas. According to UNDP (1999), an ethics regime creates norms whereby proper conduct can become second

nature. Therefore, Ethics regime in parliament, can serve as a map by which legislators can navigate the sometimes-treacherous waters of political life. This are some factors while scholars have diverse definitions of ethics peculiar to various professions.

Agreeing to the above definitions of ethics, the Nuttal Encyclopedia defined it as the science which treats of the distinction between right and wrong and of the moral sense by which they are discriminated while Webster Dictionary defined ethics as the science of human duty; the body of rules of duty drawn from this science; a particular system of principles and rules concerning duty; whether true or false; rules of practice in respect of a single class of human action.

More so Noah Levin (Nov., 2019) viewed ethics as a branch of philosophy which investigates the questions "What is the best way for people to live?" and "What actions are right or wrong in particular circumstances?" Levin stated that ethics seeks to resolve questions of human morality, by defining concepts such as good and evil, right and wrong, virtue and vice, justice and crime. As a field of intellectual enquiry, moral philosophy also is related to the fields of moral psychology, descriptive ethics, and value theory. He listed the three major areas of study within ethics recognised today as, meta-ethics, concerning the theoretical meaning and reference of moral propositions, and how their truth values (if any) can be determined; Normative ethics, concerning the practical means of determining a moral course of action and applied ethics, concerning what a person is obligated (or permitted) to do in a specific situation or a particular domain of action.

2.1.2 Privileges

Several authors throughout the world has interpreted the concept of privileges according to the norms and scenario that exists in their respective country. According to the Oxford dictionary, the term privilege refers to the “special right, advantage or immunity to the particular person. It is special benefit or honour”.

However, the concept of privilege could be defined as “A special right, advantage or benefit conferred on a particular person. It is a peculiar advantage or favour granted to one person as against another to do certain acts”. Inherent in the term is the idea of something, apart and distinct from a common right which is enjoyed by all persons and connotes some sort of special grant by the sovereign. The word grant by sovereign refers to the privilege which is conferred to them by the higher authority and the privilege and immunity is derived from them only to such members. As inspired by the privileges of house of the commons ([www.http://legalservicesindia.com/article/](http://legalservicesindia.com/article/)).

Privilege, in relation to parliamentary privilege, refers to immunity from the ordinary law, which is recognized by the law as a right of the houses and their members.

According to Erskin May, (1996), Parliamentary privilege’, is an English legal term, which covers the sum of the powers and immunities of both the legislative bodies and legislative body members. He further stated that "Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the general law. Certain rights and immunities such as freedom from arrest or freedom of speech belong primarily to individual Members of each House and exist because the House cannot perform its functions without unimpeded use of the services of its Members.

In other words, the classic definition of parliamentary privilege is found in *Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament*:

Parliamentary privilege is the sum of certain rights enjoyed by each House collectively... and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals.

These “rights” can be divided into two categories: those extended to Members individually, and those extended to the House collectively. Each category can be further divided. The rights and immunities accorded to Members individually are generally categorized under the following headings:

- Freedom of speech;
- Freedom from arrest in civil actions;
- Exemption from jury duty;
- Exemption from being subpoenaed to attend court as a witness; and
- Freedom from obstruction, interference, intimidation and molestation.

Similarly, the concept of parliamentary privilege refers to two significant aspects of the law relating to Parliament: the privileges or immunities of the houses of the Parliament, and the powers of the houses to protect the integrity of their processes, particularly the power to punish contempt’s. These immunities and powers are very extensive, but they carry with them great responsibilities. They are deeply ingrained in the history of free institutions, which could not have survived without them.

Therefore, Parliamentary privilege exists for the purpose of enabling the houses of the Parliament to carry out effectively their functions. The primary functions of the houses are to inquire, to debate and to legislate, and parliamentary privilege assists and protects these functions.

Although, privilege in this restricted and special sense is often confused with privilege in the colloquial sense of a special benefit or special arrangement, ‘immunity’ is best used in relation to privilege in the sense of immunity under the law.

The principal immunity is the freedom of parliamentary debates and proceedings from question and impeachment in the courts, the most significant effect of which is that members of Parliament cannot be sued or prosecuted for anything they say in debate in the houses. The principal powers are the power to compel the attendance of witnesses, the giving of evidence and the production of documents, and to adjudge and punish contempt’s of the house.

2.1.3 Public Petitions

Historically, petitions were the equivalent of a plea to Parliament. Originally, the intention was to focus on local or personal grievances, but ‘from the Restoration and eighteenth-century period, it became more common to make representations or complain about matters of public policy’ (*House of Commons Information Office, 2010, p. 6*). Petitions, therefore, were seen as a key component of the shifting ecosystem of popular participation and representation. Petitions were a crucial site of representation between citizens and parliament.

According to Lindner and Riehm (2009), Petition is a formal request to a public authority, usually a governmental institution with the purpose of changing public policy, calling for an official statement, or evoking certain acts by a public institution.

Emphasizing on the concept of petitions, Corbett (2011) reiterated that petitions are instruments for public direct communication with the parliament to inform it of a particular public issue and to seek parliamentary action to remedy it. This implies that petition is a form of political participation which enables citizens’ involvement in decision making process.

However, Corbett (2011) and Bochel (2013) noted that petitioning has long been a popular and the most common means of political participation used by citizens to communicate their views to their elected representatives.

Similarly, Miller (2009); Stewart, Cuddy and Silongan, (2013) remarked that a robust petitioning system has been seen as enabling citizens' voice to be heard and in turn, help underpin the legitimacy and functioning of representative institutions. It enhances the relationship between parliament and citizen.

In other words, petition became an "instrument of political struggle". This is so because, the petition systems that are in place in elected bodies today enable members of the public to raise issues and concerns on a wide variety of topics, such as religion, health, culture, education, sport, transport, politics and democracy.

Tibúrcio (2015), stated that the right to petition is the right every citizen has to present, individually or collectively, to sovereign bodies and other public entities, complaints to defend their rights or to defend the general interest (hereinafter petitions). This means that a petition can serve to defend individual rights or interests, or to challenge Parliament on a matter of general interest, in particular in its area of legislative competence and government control. The right to complain is the right of citizens to submit complaints concerning public authorities to an ombudsman such as the Committee of Ethics, Privileges and Public Petitions, who will examine them – without having decision-making powers – and who can submit recommendations to prevent or correct injustices to the competent bodies

Generally, petitions systems endeavour to strengthen democracy by promoting citizens' participation and engagement in political affairs, by narrowing the distance between those

represented and their representatives, by promoting greater transparency, and by ensuring information flows.

2.1.4 Committee System

According to NDI 2006 (as cited in NILS, 2014) committees are a small group of legislators who are assigned, on either temporary or permanent basis, to examine matters more closely than could the full chamber. They are sub set of legislators selected to work in a smaller unite to enable easers and effective legislative functions. Supporting this argument, UNDP (2004) stated that Legislative committees (sometimes called commissions) are units of organization within a legislative chamber that allow groups of legislatures to review policy matters or proposed bills more closely than would be possible by the entire chamber.

Consequently, Alain (2018) reported that Committees are the most important working bodies in a parliament. He added that the establishment of committees was a pragmatic answer to an evident need: to gather members of parliament in smaller groups in order to enable more efficient work. The burden of legislative work is shared into Committees so that it could be done effectively within the shortest possible time. This implies that the strength of the parliaments depends largely on Committees. Where the committees in the parliaments are inactive and unproductive in the discharge of their legislative functions the implication of this is that the parliament becomes dormant and not responsive. Also, Ajiboye (2017) defined committee system as a major feature of the Nigerian legislature where the bulk of legislative businesses in the Nigerian Legislative Assemblies are performed. Committees are one of the most significant forms of internal legislative organization where almost all the legislative works are being performed.

Furthermore, Fashagba (2009) averred that the concept of the committee system may be utilized for exigency purpose, in which case it is appointed in response to a particular development at any given point in time under an ad-hoc arrangement. Ad hoc committees as the name implies, serves a “one-time purpose”. However, in the National Assembly, there are regular or standing committees under which the whole house is divided into various units, with each unit having a responsibility of overseeing the corresponding administrative unit or department of government (House Standing Order, Order XVIII; Senate Standing Order, Orders 95-98). These committees as argued by Laski (as cited in Fashagba, 2019), enables a legislative assembly to bring its members into some organic connection with the executive departments. Hence, the best way to make the committees realize the goals, therefore, is to avoid an unnecessarily large number of people in a committee but giving few people the mandate to perform the jurisdictional functions of each standing Committee of both Houses of National Assembly as clearly itemised in the Rules or Standing Order of the Houses.

2.1.4.1 General Functions and Activities Of Committees

According to the National Democratic Institute (NDI) (2006), committees are *“a small group of legislators who are assigned, on either temporary or permanent basis, to examine matters more closely than could the full chamber”*.

This is in line with the assertion of Woodrow Wilson (1961) that, Congressional government is committee government which implies that Congress in its committee rooms is congress at work while congress in session is congress on public exhibition.

The Committees, however, form extensions of the House and are limited in their powers by the authority delegated to them. Although, often seen as one of the distinctive features of modern

democracies, the Committees are portrayed both as the engine room of legislatures as well as the power house.

According to James Shannon, former U.S. Representative, Committees are very important especially as regards its (Committees) oversight functions. He reiterated that

Committees can play a valuable role in reviewing and evaluating the performance of cabinet ministries . . . The relationship between committees and parliamentary ministries does not need to be antagonistic. In fact, the relationship is more a system of exchanging information on both policy and administrative matters . . . and is based on mutual need. (*National Democratic Institute, Role of Committees and Party Whips*).

Therefore, the work delegated by the legislature to committees usually relates to the scrutiny of the operations of the executive, the examination of bills, or the investigation of some issues of public concern. Obviously, the Senate Committee on Ethics, Privileges and Public Petitions (CEPPP) as one of the Special Committees of the Nigerian Legislature is not an exemption.

For the purpose of objective study and clear understanding of the Functions and activities of Senate CEPPP, the National Secretariat of Nigerian Legislatures and Institute for Legislative Studies (third edition) however itemised the duties of the Standing Committee of which the CEPPP is one as follows:

1. Conduct oversight on executive agencies under their jurisdiction;
2. Scrutinise measures and bills and other matters assigned to them by their parent bodies in detailed manner;

3. Conduct hearings on bills and other matters assigned, thereby serving as arenas for citizens participation in the legislative process;
4. Adjudicates and resolves disputes among government agencies and citizens or interest groups;
5. Promoting specialisation, professionalism and division of labour in that each standing committee presides over a specialized subject matter;
6. To consider annual budget estimates of the executive's agencies under their legislative jurisdiction;
7. Conduct research for legislative action;
8. Screen and recommend executive nominees for appointment and
9. Dealings with resolutions of the House and making recommendations.

In line with the above, Zvoma (2010), stated that the Committees are the Constitutional watchdog whose task is to examine every bill other than a Constitutional bill and report to parliament whether the bill contains any provisions, which if enacted, would violate the bill of rights, or any provision of the Constitution. This however entails that the CEPPP has the mandate to bring the dividend of democracy to the citizenry through its activities. Having seen the roles and duties of the Senate CEPPP, the research also wishes to dig into the legal backing of these activities.

2.1.4.2 Challenges Confronting Legislative Committees

According to World Bank, WB (2007b) parliamentary committees face enormous challenges as listed below:

- 1) "Embedding evolving policy challenges into already codified jurisdictional definitions, e.g. crosscutting issues such as the environment, trade, health, and welfare". These issues demand

integrated deliberation and oversight. Thus, it is argued that there may exist instances of shared jurisdiction. This may impede the speed of legislative deliberation, thereby affecting committee's effectiveness.

- 2) "Inadequate resources": parliamentary committee staff members are required to support the activities of committees that, for instance, carry out research and communicate between parliamentarians. However, the resource constraints that have hindered the progress of most parliaments also extend and affect parliamentary work at the committee level;
- 3) "Changing phases of parliamentary committees": The evolving nature of parliamentary committees in most parliaments sometimes creates challenges in being able to tell the mandate of a committee from its name. A good example is the use of the term "finance committee" and "budget committee". The mandates of these committees are often unique to the countries in which they are found.
- 4) "Managing the relations between parliamentary committees and government ministries' departments and agencies": Without clearly defined guidelines, clear understanding of the mandate of the committee and without well-established channels of communication, managing the relationship with government ministries department and agencies can be a daunting task especially where the rules of engagement and committees' oversight role are not well established as pertains in young and emerging democracies. This worry was expressed by Fashagba (2009) when he argued that members of the executives shows 'lackadaisical' attitude towards legislative (committee) summons, misconstruing it as an appendage of the executive.
- 5) "Managing and sustaining inter-parliamentary committee relations": Inter-parliamentary cooperation can be very beneficial in strengthening peer support and learning but there are often challenges related to such relations. Hence, WBG (2007b) noted that "lack of financial

resources to promote reciprocal visits can hinder such partnership”. WBG further asserted that most parliaments are yet to take advantage of new Information Technology facilities that can allow online interaction without the cost associated with travel. Inter parliamentary associations such as the IPU may need to increase support for inter-committee relations.

In apparent agreement with the position of World Bank, Fashagba (2009), put the constraints of the legislative committees into four folds;

First, the ignorance of members of the executive arm who rather than honour committee invitations, resort to seeming ‘diplomacy’ to evade mere legislative chats. This is more worrisome as the chief executives are often co-opted in the plot to escape legislative scrutiny.

Second, the lackadaisical attitude of implementing agencies towards the resolutions and recommendations of committees. Fashagba opined that civil servants were used to taking orders from the military regime and so have refused to be attuned to the roles of the legislature in a democratic regime.

Third, financial constraints in the face of committee’s enormous tasks. Where the legislature has no clearly defined source of income but depends solely on monthly allocations from the executive, a shade is cast on its ability of independent decision and thought.

Lastly, Fashagba (2009) noted that godfather factor remains a concern as errant godsons are replaced at the dictates of their benefactors. This no doubt enhances the prospects of legislative turnover, leaving committees with legislators with little or no knowledge of the workings of the legislature. Instructively, under such circumstance, the ability of individual committee members to perform their duties dispassionately becomes grossly impaired.

This study, however, wishes to state that committees of the National Assembly in general, and the Senate Committee on Ethics, Privileges and Public Petitions in specific, are not immune to

the challenges of legislative committees listed by WB (2007b) and Fashagba (2009) and that the CEPPP has enormous power to perform its activities. Succinctly, it is worthy of note that, the Senate Committee on Ethics, Privileges and Public Petitions like other legislative committees, are faced with most of the challenges listed above especially inadequacy of resources given its peculiar nature.

2.1.4.3 Legal Framework/backing for the CEPPP

According to theAhmadu (2018), the powers conferred on the National Assembly are enormous; to make laws with respect to matters within its legislative competence and correct any defects in existing laws; and expose corruption, inefficiency or waste in the execution of laws within its legislative competence in the disbursement or administration of funds appropriated by it. Holding public institutions and officials accountable for their actions and inactions. Accordingly, the National Institute for Legislative Studies (2003 -2013) enumerated some of the powers of the constitutional powers of the committee to include powers to:

1. Examine matters within their specified mandate or issues referred to them by the House;
2. Report to the house from time to time
3. Sit while the House is sitting or stands adjourned;
4. Print necessary papers and obtain evidence;
5. Delegate to sub-committees any of their powers except the powers to report to the House;
6. Hire experts and consultants;
7. Undertake investigatory tour;
8. Organise workshops and seminars on subject matters under their jurisdiction;

9. Organize hearings on matters referred to them.

In line with that, *Aroyewun* (2018) listed the legal framework/backing for the CEPP as follows: Section 62 (1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and Order 96 of the Senate Standing Orders, made provisions for the establishment of Special and General Committees of the House. Section 62(1) empowers the National Assembly to:

- a) Create Committees of its members and delegate functions which the National Assembly has powers to exercise to such Committees.
- b) Appoint a Committee of its members for such special or general purpose as in its opinion would be better regulated and managed by means of such a committee, and may by resolution, regulation or otherwise, as it thinks fit, delegate any functions exercisable by it to any such Committee.
- c) Due to the importance of the work of the National Assembly Committees on Public Petitions, both the House and the Senate established that Committee as Special Committees.

Aroyewun (2018) also noted that Order 97(4) of the Senate Standing Orders lists the functions and jurisdiction of the Committee as follows

- a) Consideration of the subject matter of all petitions referred to it by the Senate and reporting back to the Senate on same;
- b) Recommendation to the Senate from time to time such administrative actions as it may deem appropriate to establish and enforcement of standards of official conduct for the Senators; and
- c) Oversight and monitor of the activities of the Code of Conduct Bureau.

Agreeing to that, Danwanka (February 2018) noted the Constitutionality of Senate Committee on Ethics, Privileges and Public Petitions to include:Section 62 CFRN, 1999 as (Amended), Sub Section (1) of section 62 provides:

“The Senate or the House of Representatives may appoint a committee of its members for such special or general purpose as in opinion would be better regulated and managed by means of such a committee, and may by resolution, regulation or otherwise, as it thinks fit, delegate any functions exercisable by it to any such committee”.

Pursuant to the above section, the Senate Standing Orders 2-15 recognised special and standing committee. The special committees are: Committee of Selection, Committee on Rules and Business, Senate Services Committee, Committee on Ethics; Code of Conduct and Public Petitions, Public Accounts Committee, Committee on National Security and Intelligence Committee on Ethics, Privileges and Public Petition is recognised as a special committee.

Danwanka (2018) also highlighted the Scope of Jurisdiction and Operational Areas of the Committee as thus:

The power or right of the Senate Committee on Ethics, Privileges and Public Petitions to exercise its authority over person(s), subject matter or territory is derived from the 1999 Constitution (as amended). Section 88(1) of the Constitution provides that each House of the National Assembly shall have power by resolution published in its journal or in the Official Gazette of the government of the Federation 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 or responsibility of :(i) executing or administering laws enacted by the National Assembly and (ii)

disbursing or administering of monies appropriated by the National Assembly. Any Committee including the Senate Committee on Public Petitions can be mandated to investigate such matters; as it deems necessary.

On the strength of the above provision of the Constitution, Order 97 (4) (a)(b) and (c) of the Senate Standing Rules 2015 (as amended) provide that the Senate Committee on Ethics, Privileges and Public Petitions has jurisdiction to consider the subject matter of all petitions referred to it by the Senate, recommend from time to time such administrative action as it may deem appropriate to establish and enforce standards of official conduct for the Senate and oversee and monitor the Code of Conduct Bureau.

Danwanka also observed that, the Committee is generally mandated to investigate petitions from Nigerians (Private and Corporate) on any issue or matter especially the conduct of affairs of government agencies. In cases where the Committee has no jurisdiction, such as contractual issues between two private citizens, the Committee is expected to dismiss the petition or make recommendations for its referral to an appropriate body with the approval of the Senate. The operational areas of the Committee according to Dr.Danwanka (2018) & Senate Standing Rules (2015) are:

- a) Ethics – values considered to promote the integrity of the institution and personality of members. This include expected behaviours from staff, senators which suffers failure of acceptable standard
- b) Privileges – As legislators, they are entitled to certain privileges. Violation of privileges on National Dailies, TV, and Social Media will be triable by the Committee
- c) Petition- is general on matters, persons, authorities or organizations whose status or activities are within the exclusive legislative competence of the National Assembly.

2.1.5 Legislative Performance

Across the globe, Parliaments are evaluated to identify their greatest needs and challenges. Such legislative performance evaluations are also critical for public oversight of parliaments (NILDS, 2010). The importance of Legislative performance evaluation lies in the fact that, it provides help for parliamentarians to identify and address areas of weaknesses and tack improvements in governance over time. Parliamentary performance would be measured by the quality. According to Lewis (2009) as cited in the National Assembly and Democratic Governance in Nigeria by Hamalai and Suberu (2014) “To a greater degree than any previous moment in Nigeria’s political history, the legislature is emerging as a credible institution with the capacity to shape laws, bolster accountability, and balance other branches of government. The National Assembly has become a Venue for initiating, debating and amending legislation”.

The National Assembly consistently demonstrated a capacity to reshape or even defeat the presidency’s legislative agenda. The Assembly passed an array of laws designed to address the country’s fundamental integrative, democratic and developmental challenges. The capacity of National Assembly to generate national elite consensus behind major legislations was reinforced by its success in passing the Constitution (Fourth Alteration) Bill in late October 2014, the constitutional amendments implemented in 2010 -2011 sought to address many of the country’s unresolved, contentious and difficult constitutional reform issues.

However, the legislature as a cardinal institution of governance in a democratic setting has its functions generally defined in terms of legislation, oversight and representation. And for any legislature to live up to its responsibilities, it must be adequately resourced. According to Hamalai, Dan-Azumi and Omotola (2016), resources in this context encompass a variety of inputs, both tangible and intangible which, depending on their nature, including types, quantity and quality,

could interact to enhance or undermine legislative performance and productivity. The import of this is that depending on certain intervening variables such as their effective coordination, resources can be an indication of the strengths or weakness of an organisation. This point assumes broader significance when we realize that having resources is not the same thing as using them; in fact, using them is not the same as using them judiciously (Mills, Platts and Bourne, 2003).

Arguably, scholars contend that the evaluation of legislative performance and productivity is a function of the resources at its disposal. On the contrary, though, the question that comes to the fore is on how to determine legislative performance vis-à-vis the resources consumed by the National Assembly? In measuring legislative performance, Barkan (2010) recognized the concern about parliamentary output when he identified five various approaches. Legislative performance from the output or productivity perspective, relates output to inputs; i.e. it measures performance relative to input. Worthy of note is the fact that the use of executive-legislative relationship in defining legislative performance shifted the focus of research to qualitative assessment of the capacity of the legislature away from developing some quantitative indicators of legislative output. The focus on qualitative assessment has resulted in a situation where the discipline lacks objective performance measurement tools or parameters for comparing legislatures. The result is a lack of agreement among scholars on how to evaluate the performance of the legislature in terms of legislative capacity.

Additionally, Hamalai, Dan-Azumi and Omotola (2016) noted that beyond the academic qualification of legislators, legislative performance is also a function of many other human resource factors, most notably the number and quality of legislative aides and parliamentary staff. Furthermore, they reiterated that there has also been a propensity to conflate ‘legislative capacity’ and ‘legislative performance’ and to reach conclusions about strength and weakness in legislatures

from an assessment of a legislature's capacity – its potential policy power – rather than analysing the nature of its policy output. Strong committees, for example, do not in themselves be taken as strong, policy-making legislature. The starting point of this special issue is the need for systematic output analysis in comparative legislative research and, accordingly, the Introduction seeks to devise a series of indicators with which to make at least a rudimentary cross-national assessment of legislative performance.

However, legislative committees may grant a legislature with the potential to make decisions independently of the executive – that is, they enhance its legislative capacity – they will not guarantee that the potential is mirrored in legislative performance. Indeed, most of the growing body of legislative studies research has focused either on the legislative capacity or the legislative operation of parliaments to the neglect of their legislative performance.

2.2 Theoretical Review

2.2.1 Parliamentary Evaluation Theory

Historically, evaluation in parliaments has merely been analyzed. Evaluation can be viewed as a structured process that creates and synthesizes information intended to reduce the level of uncertainty for stakeholders about a given program or policy. It is intended to answer questions or test hypotheses, the results of which are then incorporated into the information bases used by those who have a stake in the program or policy (McDavid and Hawthorn, 2006). This is evidenced in the fact that MPs, as representatives of the people who pay for and constitute target groups of policies, are stakeholders 'par excellence' who could be interested in evaluation. According to Bosley(2007), Parliamentary performance evaluation is an integral component of parliamentary strengthening and public oversight of parliaments. When civil society and media organizations track and report on questions and hearings, voting records, committee meetings, the annual budget

cycle, constituency work, and legislation, the public benefits from enhanced understanding of political, economic, and social developments. This process facilitates both public input into and oversight of the democratic process. In other words, when a parliament or donor organization seeks to critically evaluate parliamentary performance in these same areas, parliamentary reform and modernization programs can be better crafted and monitored to meet the specific needs of a particular parliament. Parliamentary evaluation also serves to communicate the significance of parliaments to the democratic process on both a national and an international scale.

Parliamentary evaluation, therefore, poses substantial challenges to the evaluator. Correspondingly, in evaluation, the first challenge is to determine what actually should be measured and how should it be measured. There is ongoing debate about how to define an effective or ‘real’ parliament. If the product of a parliament is defined as the process of parliament, then parliamentary performance would be measured by the quality of debates, the influence of parliament on legislation and policy, how often members met with their constituents, the frequency and quality of public hearings held by the Committees, and the degree to which civil society organizations are encouraged to influence the parliamentary process, just to give a few examples. If the product of a parliament is defined as the policy outputs of parliament – legislation, budget, and other government policies, then parliamentary performance would be measured by how effectively parliament achieved concrete policy goals, such as poverty reduction, via the process means at its disposal.

Pattyn, Speer and Peuter, (2015) noted that in the German parliament, evaluations are addressed in the form of motions, reports, major and minor interpellations as well as oral and written questions while the Flemish parliament of Flanders has several instruments to fulfill its surveying power vis-à-vis the government (Vlaams Parlement, 2008)

Nevertheless, Questions of qualitative versus quantitative performance measures necessitate careful analysis of the purpose, audience, and cost of any evaluation. Qualitative measures offer more complete snapshots of a parliament, but may be prone to substantial evaluator bias and interpretation. Tracking progress within a given country over time based on qualitative measures may be feasible – tracking cross-nationally using qualitative data is more problematic.

Alternatively, parliamentary performance can be measured quantitatively. Before any quantitative measures can be designed, however, a set of standards against which a parliament is to be measured must be selected. Setting such standards has proven challenging; a wide variety of organizations have proposed an even-wider variety of standards. Additionally, quantitative measures that can be easily applied in practice have proven elusive in parliamentary evaluation. Unlike fields such as health or education, simple quantitative measures such as the percentage of children receiving vaccines by a given age, are often not particularly useful. Designing a valid quantitative measure of the level of ‘representation’ of a parliament, for example, is quite challenging. Further complicating quantitative analysis are small sample sizes, the relative frequency of elections and consequent member and staff turnover, and the dependence of parliaments on external actors such as ministries and political parties.

Measuring parliamentary performance, therefore, requires both qualitative and quantitative measures. A scorecard methodology can only use those qualitative measures that can be reasonably converted into numbers. The good news, however, is that such conversion is more feasible than might seem possible at first glance. For example, it is possible to quantify indicators such as ‘the quality of the debate on the Budget’ or ‘the quality of a Committee’s report’. An example of this ability to express numerically what starts out as a set of qualitative measures can be found in the Freedom House Index.

2.2.2 Parliamentary Performance Assessment Theory

In parliamentary performance assessment, it is important to use some of the largest parliamentary assistance donors such as the United National Development Programme (UNDP) and the United States Agency for International Development (USAID). This is due to the fact that an examination of UNDP and USAID's most current parliamentary assessment strategies offers a snapshot of the current state of parliamentary evaluation.

The United Nations Development Programme (UNDP) offers two different sets of guidelines for evaluating parliaments: a parliamentary needs assessment designed to be undertaken during the development phase of a parliamentary strengthening program, and a guide to developing indicators to monitor and evaluate existing parliamentary strengthening programs. Neither framework proposes a scorecard system of evaluating parliaments, either within or across countries. However, both documents note the challenges of developing universally applicable standards against which to evaluate parliament.

In the Conduct of a Legislative Needs Assessment, UNDP presents seven key questions to be answered prior to developing a parliamentary strengthening program: How much power do the laws grant to the parliament? How much political space does the system allow the parliament? How much do legislators want to do to advance the institution as a significant actor in the political system? How well does the parliament interact with society? How well does the parliament perform its lawmaking and oversight functions? How well do systems of parliamentary management and infrastructure help the parliament perform its representation, lawmaking, and oversight functions? What are other donors doing?

Obviously, most of these questions do not address parliamentary performance, but rather the political and institutional contexts in which a parliament or parliamentary strengthening program

operates and the issues confronting donors. However, the questions addressing performance in the three broad areas – representation, legislation, and oversight – as well as the gaps between formal parliamentary powers, informal powers, and actual performance, could usefully be incorporated into a parliamentary framework of analysis.

However, the UNDP framework is relatively unique in addressing the level of parliamentary commitment to continuous improvement which is worthy of inclusion in the overall performance assessment of a parliament. UNDP’s assessment framework thus targets donor agency officers, their partners, and stakeholders responsible for formulating, managing, evaluating and reporting on parliamentary strengthening programs. Civil society and the media are not part of the formulation. It is noteworthy to state that in *Indicators for Legislative Development*, UNDP highlights the challenges of identifying meaningful yet financially and logistically feasible indicators of parliamentary development (UNDP, 2001). The document also states a clear preference for quantitative over qualitative measures and an avoidance of yes/no questions that do not facilitate tracking incremental change. Both of these preferences would seem to indicate support for a parliamentary scorecard based on a ratings system. Secondary source data such as government statistics, press coverage, and existing surveys are recommended to supplement key stakeholder interviews. Additionally, the document offers a palette of sample indicators organized under the three broad parliamentary activity areas— representation, lawmaking and oversight. For each activity area, the accompanying matrix identifies potential areas of support, intended results and program outputs, and indicators for each of these results and outputs. More recently, UNDP emphasized that “evaluative information on the impact of parliamentary development is lacking,” indicating a desire for the creation of better tools in the evaluation of parliamentary performance (UNDP, 2003).

The United States Agency for International Development (USAID) collaborated with the State University of New York's Center for Legislative Development (SUNY-CLD) to prepare the USAID Handbook on Legislative Strengthening in 2000 (USAID and SUNY-CLD, 2000). The framework focused on the need for prompt establishment of the state of a parliament and the institutional as well as political context in which it operates in order to develop parliamentary assistance programs. Thus, the framework offers some potential avenues for development of a parliamentary performance record. On the other hand, the emphasis is clearly more descriptive than evaluative and no minimum standards are established, comparability is not a significant factor, and ratings are essentially qualitative. The multitude of yes/no questions limits the ability of such a framework to track progress over time or to take into account varying qualities or quantities of particular attributes. However, this framework is a good example of a purely practitioner driven approach to evaluating parliaments.

Specifically, the USAID assessment framework first requires a macro-level political and constitutional assessment. This evaluation phase could contribute to some aspects of an indexing-based framework, although not in terms of actual performance. The second phase divides the assessment process into five areas with several broad questions to be addressed in each area. A rating scale, a necessary step in scorecard development could easily be applied to many of the questions, often with the minor addition of a 'how much' or a 'to what extent.' Alternatively, positive responses to yes/no questions could be tallied, although this technique would undoubtedly miss many nuances. Basically, the framework and key questions are outlined Political will and domestic support, Representation function, Lawmaking function, Oversight function, Associated operations: management and infrastructure.

2.2.3 Theory of Developing a Framework of Analysis

In developing a framework, Bosley (2007) stated that it requires both establishing clear standards and a transparent rating system. This process would need to incorporate a broad base of parliamentary stakeholders' input. An appraisal of parliament could accentuate its three or four primary functions viz: legislation, representation, oversight, and budget approval.

The two primary audiences, parliamentary development practitioners and civil society, include a diverse group of parliamentary staff and members, donor agencies, and project implementers. Their interest of these groups revolves around planning, monitoring, project evaluation, and capacity building. Although, parliamentary staff and members may feel threatened or uneasy about their performance being indexed. Civil society organizations, private individuals, and the media tend to be more focused on using these frameworks to enhance parliamentary accountability to constituents and society at large. Therefore, developing a scorecard that meets all of these goals well may be challenging, but incorporating civil society needs and concerns into any designed framework would greatly enhance its credibility and utility.

Furthermore, Bosley (2007) reiterated that there are two different axis of parliamentary evaluation: parliamentary resources and parliamentary performance. Parliamentary resources include human resources, training and educational attainment, facilities, ICT, support services, and other tools necessary to carry out the work of parliament. Parliamentary performance emphasizes how effectively these resources are brought to bear.

However, performance evaluation demands that evaluators dig deeper to determine what parliament is actually accomplishing. While gathering, analyzing, and comparing data on parliamentary resources would be an interesting and informative exercise, it is the latter that gets at

the heart of the function of parliament. At the long run, the focus of the framework, must be basically on the performance in order to be valuable to either practitioners or civil society.

2.3 Empirical Review

Scholars have continued to conduct researches on the performance and effectiveness of legislative committees in the legislative process with the aim of identifying challenges confronting the committees of the legislature, and proffering strategies that would suffice for those challenges. The United Nations Development Programme, UNDP (2005) conducted a study on *Legislative Committee System*. The main objective of the study was to compare the composition and efficiency in various jurisdictions. On this note, the study grouped committees into weak strong categories depicting the committee systems in the United Kingdom and the United States of America as shown in the Table below.

Table 2.1 Organizational Feature of Strong and Weak Committees

S/N	Strong Committee (US)	Weak Committee System (UK)
1	Committee Jurisdiction is defined by subject matter which tends to parallel the structure of Administrative Agencies.	Committees are formed for the purpose of reviewing particular bills and then are disbanded.
2	Membership/Tenure on a given committee tends to last the entire legislative term and often during a number of terms – committee leaders may have more experience in a given area than the relevant Cabinet Minister or Secretary.	Membership/tenure on a committee is temporary and doesn't encourage particular members to gain expertise. Expertise lies in Cabinet Ministries.
3	Chairmanships tend to go to the committee members with long experience on the committee.	The membership and leadership of committees is constantly changing.
4	There are a number of permanent, or standing, committees.	Most committees are ad hoc

Source: UNDP (2005, p. 7)

In the Table 2.1, committees differ widely between jurisdictions and so, defines the type of legislature.

Francis (1989) in his study *The Legislative Committee Game: A Comparative Analysis of Fifty States* which was designed to focus upon committees that actually process legislation: mainly the chambers, the standing committees and their subcommittees, and the party caucuses. In this study, Francis argued that the legislature's principal units of organization are committees, and committees have subcommittees. Hence, he concluded that, legislatures have political party units, which are also committees, and many legislatures have an assortment of other units that could qualify as committees. According to Francis, as long as these subunits vote to make decisions, they are committees. On this note, Francis defined a committee system as a set of committees whose decisions, at least in part, are interdependent. So, the parent committee, the legislature, dissolves into standing committees, which in turn may dissolve into subcommittees. However, Francis (1989) opined that certain individual preferences shape committee decisions. Thus, he concluded that such preferences stem from the inherent intricacies of game theory and social choice theory.

Similarly, Wang (2013) in his study *Explaining the Strength of Legislative Committees: A Comparative Analysis* which was designed to distinguish the three analytic dimension of: committees' positive agenda power, their power to ensure the placement of their preferred legislative versions on the floor; committees' negative agenda power, their power to delay or block the progress of legislation; and committees' information capacity, institutional incentives granted to them to gather and transmit information, was observed to be beneficial to different legislative actors. Hence, he argued that these actors reflect different features of a political system, and may not be consistently strong or weak. On this note, Wang opined that committee procedures cluster empirically in these three distinct dimensions. In essence, different dimensions of committee

power are affected by legislators' electoral incentives, the composition of multiparty governments, pre-existing authoritarian incumbents' uncertainty and bargaining power, and changes in legislative membership.

Bundi (2016) conducted a research on the demand for Parliamentary evaluation. The study focused on the reason why parliamentarians demand evaluations with parliamentary requests. The study adopted principal-agent theory as the theoretical framework so as to explain the origins of evaluation demand. The study argued that parliamentarians mainly demand evaluations in order to hold government accountable. The quantitative analysis of the study showed that Swiss parliamentarians demand more evaluations if they have the impression that the administration does not implement the policies within their meaning. Based on the findings of the study, it was realized that parliamentarians demand evaluations in order to fulfill their oversight functions towards the government.

The study of Bundi is quite apt and similar to this study because of its usage of the principal agent theory as the theoretical framework, but it is not flawless as it failed to proffer recommendations for future studies.

Bochel (2019) studied *Petition Systems: Outcomes, 'Success' and 'Failure'* using petitions to the National Assembly for Wales and the Scottish Parliament to develop a framework to assist in understanding how 'success' and 'failure' might be judged in relation to petitions, found that the use of formal petitions systems has become increasingly widespread in the UK. Bochel observed that the systems in the National Assembly for Wales and the Scottish Parliament are seen as models of good practice but stated that an aspect that has not been explored in sufficient depth is the outcomes of petitions. Bochel (2019) argued that the understanding of the outcomes of petitions may help political institutions think about the processes which underpin their petition

systems, the ways in which they frame the systems for the public, and could help better manage petitioner expectations, including by illustrating to petitioners what they might achieve at different stages in the petitions process.

Fashagba (2009) in his study *The Role of the Committee System in Enhancing Legislative Efficiency in Nigeria: The Case of Kwara State House of Assembly* aimed at examining the impacts of the committee system in enhancing legislative efficiency in Nigeria using the Kwara State House of Assembly as a case study, noted the need for efficiency in the performance of legislative and other related functions, with which modern assemblies are saddled. He therefore, observed that the reliance on the committee system becomes inevitable given these myriads of tasks in modern legislatures. Fashagba concluded that the committees of the Kwara State House of Assembly serve as laboratory for the purpose of testing the degree of efficiency of the body. Hence, his study discovered that legislative committees are relevant and useful as they enhance the efficiency of their parent body (whole house). Thus, Fashagba averred that legislative committees in Nigeria are, however, operating under certain constraints which, if removed, will further enhance their performance. He listed some of these constraints to include: ignorance of the members of the executive arm, weak institutions, etc. these, he argued whittles the powers of the committees, hence, hampering the legislative efficiency of the assembly in general.

Later, in 2012, the European Commission developed a Study on Performance Indicators for EU parliamentary support. The study was important because of a lack of indicators of program effectiveness, through the identifications of positive impacts of support projects on the effectiveness of the parliamentary functions.

The Study divides the performance indicators in seven themes: Legislation, Oversight, Budget, Representation, Administration, Inclusivity, and Institution-building. For each one of these themes, the study outlines parliament activities (outcomes).

The study presents several indicators for each outcome. However, the guide does not present to its user the way the indicator could be used. A parliament where more legislation is drafted is better than the others? This question is not answered by the guide. Besides that, the assessment has to be driven by the parliament itself. This means that these indicators are not meant to be used by scholars.

The NDI, CPA and APF models are actually minimum standards for parliaments to measure their democratic and institutional level. They are not intended to make analysis of their performance between different parliaments. On the other side, the IPU and the European Commission approach do not try to identify these minimum standards having a different approach.

Almost all the frameworks were developed to be used by parliaments or parliamentarians as a self-assessment leading to improvement and institutional maturation. Besides that, none of them was established to rank different parliaments, which also turns difficult analysis over time. Additionally, none of the models succeed in shaping precisely objective performance indicators that could be used to measure those parliaments.

2.4 Gap in Knowledge

Based on the foregoing, it is clear that none of the studies reviewed analyzed the performance of the 8thSenate Committee on Ethics, Privileges and Public Petitions which by all measure ensures the effectiveness of the 8thSenate, even though they mentioned the committee system which would serve as a source of deductive knowledge in this study. On this note, Agbonifoh and Yomere (1999) opined that while inductive knowledge helps in drawing conclusion from specific cases to

the general, deductive reasoning infers knowledge from general principles to specific cases. Succinctly, the significant contribution of this study to knowledge is that it examines the roles and analyzes the performance of the 8th Senate Committee on Ethics, Privileges and Public Petitions. It is however, important to note that as the Senate's ombudsman and watchdog, the Committee's sessional report, website, interactions with the Clerk, Secretariat Staff, committees' proceedings and case files will be examined.

2.5 Theoretical Framework –Principal-Agent Theory

The theoretical framework adopted in this study is the **Principal-Agent Theory**.

Davis et al. (1997) stated that *Agency Theory* is based in a number of assumptions about man, which have a significant impact on the formation of the theory. According to Payne and Petrenko (2019), the agency theory argues that agents are: (a) self-interested, (b) boundedly rational, and (c) different from principals in their goals and risk-taking preferences—that a problem occurs when one party (a principal) employs another (an agent) to make decisions and act in their stead. Eisenhardt, (1989) and Kiser, (1999) stated that Agency Theory analyzes the relationships, between participants in a system where ownership and control are assigned to different people and, although they should cooperate with each other, in fact they pursue different goals, causing an agency problem. The individuals in an agency relationship are identified as principal (who delegates the powers) and agent (who performs the work according to a delegation received from the principal. More precisely, "the heart of the agency theory is the goal conflict inherent when individuals with different preferences engage in cooperative effort and the essential metaphor is that of a contract." (Eisenhardt, 1989 p.63).

According to Lubatkin et al, (2006) in agency theory, the agents are considered opportunistic by nature, so in the absence of controls, they always act on behalf of their own interests, even when

they are contrary to principal's interests. In the instant case, the Senators/members of the CEPPP are the agents while the electorate/petitioners are the principal. This theory has been used widely in the business and economics studies and it also referred to as the stewardship theory. According to the theory, managers of trust (members of the Senate in this case) left on their own are expected to act on the best interest of those who have appointed or elected them (constituents). They are the agents while the constituents are the Principal. Impliedly, the activities of the Senate Committee on Ethics, Privilege, and Public Petitions (CEPPP) should be in consonance with the aspirations of the constituents especially those that bother on Public Petitions which is the focus of this study. In agency theory terms, the constituents are principals and the Senators which are members of the CEPPP are the agents. Therefore, the agents, since they hold power on behalf of the principal, are expected to exercise control for the benefit of the principal by ensuring sufficient returns. Indeed, there are three problems that arise in applying the principal-agent model to public sector governance according to Fukoyam (2004). First, the goals of public sector organizations are often unclear. Agent can only carry out the will of the principals if the principals are clear in what they want the agents to do. Second, formal system of monitoring and accountability either entail very high transaction costs or lack the specificity of the underlying activity. Thirdly, the appropriate degree of delegated discretion will vary over time. He noted, therefore, that due to these challenges, information asymmetry is created because, the legislature (as agent) has more knowledge than the citizens (as principals). The lofty principle of the agency theory, notwithstanding, its major weakness is that the value of a principal-agent relationship is not often optimized because the two contracted parties may have different interests and information. Thus, agency costs are the result of principal and agent conflicts of interest and disagreements regarding actions that are taken. This, regardless, the study noted that monitoring and incentive-alignment

systems could be used to curb costs associated with opportunist behavior. Therefore, the strength upon which it was selected as the theoretical framework for this study is its definition of the roles of the principal and the agent. Relatively, electorates through their elected representatives are able to pursue grievances which are a form of representation or constituency service. Therefore, the structure of the relationship between parliament and bureaucracy involves the creation of a rewards and sanctions system to enforce agency compliance (McCubbins, 1985). Despite the information problem, MPs usually do not have enough incentive to engage in oversight activities given their low electoral reward. Actions to increase legislature professionalism usually increase their participation in oversight proving that parliamentarians' interest in control is more important than the agency problems.

2.6 Relevance of Theory to Study

The Principal-Agent Theory is relevant to this study

CHAPTER THREE

RESEARCH METHODOLOGY

This chapter focused on the research techniques adopted and used for this study to achieve the research objectives. Hence, it described how data and information were obtained to answer the research questions raised.

3.1 Study Location

The study location is the National Assembly, Three-Arm Zone, Abuja. The National Assembly is a bicameral legislature established under Section 4 of the Constitution of the Federal Republic of Nigeria, (CFRN (1999, as amended). It consists of a Senate with 109 members and a 360 member House of Representatives. The body, modeled after the Congress of the US, having equal representation of 3 Senators from every 36 states and one from Federal Capital Territory and proportional representation of the population in the House of Representatives.

3.2 Research Design

This study adopted the qualitative research design. Qualitative research is an examination of concepts and their meaning and interpretations in specific contexts of inquiry. In line with this statement, Fawcett et al. (2014, p. 6) say in their trail guide to success in publishing that “qualitative research as scientific inquiry relies on storytelling to make sense of real-world dilemmas.” According to Kaya Yilmaz, (2013) is an emergent, inductive, interpretive, and naturalistic approach to the study of people, cases, phenomena, social situations, and processes in their natural settings to reveal in descriptive terms the meanings that people attach to their experiences of the world. It should be noted that qualitative research is not based on a single

methodology and does not belong to a single discipline (Denzin & Lincoln, 2005). It draws on philosophical ideas in phenomenology, symbolic interactionism, hermeneutics, and other traditions to support the attention on “quality” rather than “quantity”.’ (Brewer, 2003, p. 239). Therefore, the term is used as an overarching category, covering a wide range of approaches and methods found within different research disciplines’ (Snape & Spencer, 2003, p. 3) Kaya Yilmaz concluded that qualitative research is based on constructivist epistemology and explores what it assumes to be a socially constructed dynamic reality through a framework which is value-laden, flexible, descriptive, holistic, and context-sensitive; i.e. an in-depth description of the phenomenon from the perspectives of the people involved. It tries to understand how social experience is created and given meaning. From a qualitative perspective, reality or knowledge is socially and psychologically constructed.

3.3 Sources of Data Collection

Data collection refers to the process through which empirical data are collected or obtained using different methods, some qualitative, others quantitative. For the purpose of this study however, data was generated from both primary and secondary sources.

3.3.1 Primary Source

For the purpose of this study, the primary source involves first-hand information; the primary method of data collection was through Key Informant Interview, interactions and personal observations because the study was aimed at eliciting qualitative information pertaining petitions received particularly by the 8th Senate.

3.3.2 Secondary Data

The secondary sources of data were sourced from documentary evidence on the activities of the Senate Committee on Ethics, Privileges and Public Petitions, Senate Standing Order (2015, as altered), Sessional Reports of the Senate Committee on Ethics, Privileges, and Public Petitions (2015-2019), Paper presentations at various Seminar organized for the CEPPP, the Committee official website, individual case files from the CEPPP within the period. Also, literatures portraying the challenges of legislative committee were used as well as books, journal articles, official publications of the National Assembly and other relevant materials from the internet. The choice of this instrument was deliberate because of the quality of information desired.

3.4 Sampling Technique

The census sampling procedure was adopted for this study. The census sampling procedure means that all members of the population are examined. Hence, the conclusion was reached from the content of the Sessional Reports of the Senate Committee on Ethics, Privileges and Public Petition for 2015-2019.

3.5 Research Instruments

The research instruments that were used for the study were the Senate Standing Order (2015, as altered), Sessional Reports of the Senate Committee on Ethics, Privileges, and Public Petitions (2015-2019), Paper presentations at various Seminar organized for the CEPPP, the Committee official website, careful observations and interaction of the activities of the Committee and individual case files from the CEPPP within the period. Also, literature portraying the challenges of the legislative committee were used. etc. The choice of these instruments were deliberate because of the delimitation of this study as well as the quality of information desired.

3.6 Method of Data Analysis

The method employed in this research was content analysis. Content analysis is a research method used to identify patterns in recorded communication. The choice of the content analysis approach was because of its unobtrusive nature which does not require the direct involvement of participants as well as discourages the researcher's ability to influence the research results. The content used in this study were case files, publications in the Committee's official website, and the CEPPP's sessional reports for 2015-2019. Case files in this case and seasonal reports were described as follows.

Case file: These is the various file containing the different individual petitions and relevant documents concerning their matter, usually opened in the Committee with the petitioner's versus the respondent name for committee's use.

Sessional report: This are the summary of the activities of the CEPPP within one legislative year normally from June to June.

3.7 Ethical Consideration

Given the nature of the research, ethical consideration will be given to all the informants in the course of the research, as their real name will not be used.

CHAPTER FOUR

DATA ANALYSIS AND DISCUSSION OF FINDINGS

This chapter presents and analyzes theoretical as well as empirical data thematically. Data presentation and analysis were done according to the objectives in chapter one. In this section four major themes derived from the data are discussed. The first theme describes the analysis on the discharge of the legislative roles of the 8th Senate Committee on Ethics, Privileges and Public Petitions, it highlights the effects the Senate Committee on Ethics, Privileges and Public Petitions created in the 8th Assembly. The second major theme focused on the challenges encountered by the Senate Committee on Ethics, Privileges and Public. The third major theme discussed possible solutions to the challenges encountered by the CEPPP. And lastly, the fourth theme was on the discussion of findings derived from the study/ data gathered.

4.1 Legislative Roles of the 8th Senate Committee on Ethics, Privileges and Public Petitions: An Assessment

According to the Black Law Dictionary, a petition is a written address, embodying an application or prayer from the person or persons preferring it, to the power, body, or person to whom it is presented, for the exercise of his or their authority in the redress of some wrong, or the grant of some favor, privilege, or license. Therefore, a public petition in this context and as the name denotes, refers to a written address from a person to the Senate for the exercise of its powers to redress perceived wrongs, or grant some privileges.

The performance of Committee was determined by analyzing the functions as provided in the Standing Order of the Senate. The Senate Committee on Ethics, Privileges, and Public Petitions (CEPPP) derives its mandate from the provision of the Standing Order (2015, as altered) which states that Senate Committee on Ethics, Privileges and Public Petitions has jurisdiction to consider

the subject matter of all petitions referred to it by the Senate, recommend from time to time such administrative action as it may deem appropriate to establish and enforce standards of official conduct for the Senate and oversee and monitor the Code of Conduct Bureau. Therefore, the role of the Senate Committee on Ethics, Privileges and Public Petitions can be evaluated using the volume or numbers of petitions received, concluded, undergoing process and not treated by the Committee in the 8th Senate.

Table 4.1 below shows the summary of public petitions referred by the Senate to the CEPPP within the Legislative Session of the 8th National Assembly.

Table 4.1 Summary of the Status of Petitions Received by the 8th Senate CEPPP

S/NO	ITEMS	TOTAL NUMBER	PERCENTAGE
1	Petitions received in 1 st Session	153	
2	Petitions received in 2 nd Session	208	
3	Petition received in 3 rd Session	261	
4	Petition received in 4 th Session	22	
5	Reports laid and considered 1 st 2 nd , 3 rd and 4 th Sessions (Concluded cases)	151	23.4%
6	Reports whose consideration was suspended 1 st , 2 nd , 3 rd & 4 th Sessions	1	0.1
7	Report concluded but not laid	0	
8	Reports concluded but withdrawn (2 Political cases)	2	0.3
9	Cases being currently treated	119	18.4%
10	Cases yet to be treated	344	53.4%
11	Cases in Court	4	0.6
12	Cases dropped due to lack of merit or petitioners' inability to show up after several invitations	12	1.8
13	Withdrawn by the petitioners	11	1.7

Source: Senate Committee on Ethics, Privileges, and Public Petition Report (2019)

Chart 1

From Table 4.1, Visual summary of petitions received by the 8th Senate CEPPP.

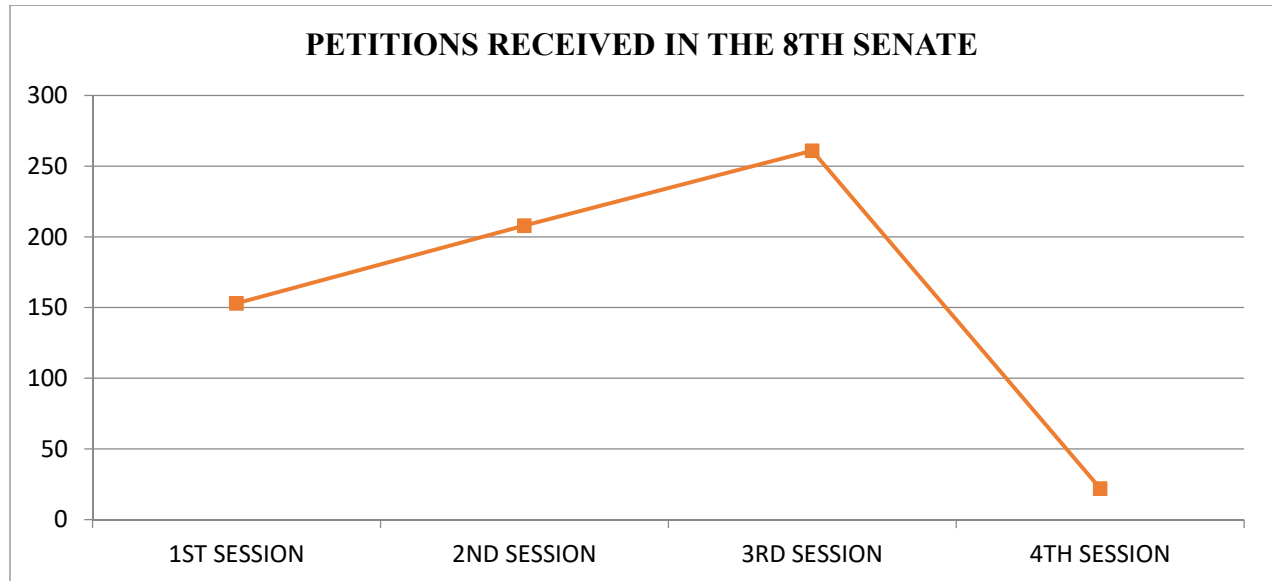


Figure 4.1 Petitions received in the 8th Senate (Source: Senate CEPPP, 2019).

Data analysis

From Figure 4.1 above, the 8th Senate CEPPP received 153 petitions during the 1st Session which commenced 1st June 2015 and ended 30th May 2016. 208 petitions were received in the 2nd Session which commenced 1st June 2016 and ended on 30th May, 2017. During the third session which commenced June 2017 and ended in May, 2018, 261 petitions were received. The last session which is the fourth session recorded only the reception of 22 petitions from June 2018 to May, 2019. This therefore brings the total petitions referred to the Committee by the House from members of the public to 644. However, since committees undertake assigned tasks on behalf of a legislative assembly, it lays reports before the parent house upon which decisions would be made. The graph shows that the number of petitions increased from first quarter to 3rd quarter and drop significantly in the 4th quarter. The study also observed that the rises in the number of petitions received by the committee were ignited due to the response the various petitions were getting from the committee. Table 4.1 also shows that meetings/hearings were held 4 times in a week to get

justice to the citizenry as the Ombudsman. One of the cases that brought the workings of the 8th Senate to the lime right and attracted much applaud to the committee was the case of Albino that that was denied letter of appointment after he had written the Police examination and passed, scoring 82% and after having been allowed to complete police training, because of the mere circumstances of his birth as an albino. The Committee intervened on his behalf and he was reinstated (CEPPP Case Report). The researcher also observed that most of the meetings held by the 8th Senate CEPPP were made public and the people were allowed to follow the process of resolving issues and that gave Nigerians the confidence that justice can be gotten without spending a kobo, comparing it with 7th Senate CEPPP where the meetings were always held at closed door sessions in the Chairman's office in form of ADR and only the petitioner and respondents were invited.

Also, it was concurred by the Clerk of Senate CEPPP, Mr. Freedom Osolo that the drop in the number of petitions received in the 4th quarter were as a result of the members' divided attention for their campaign for re-election as their tenure was about to expire, so the number of meetings were reduced.

Figure 4.2. Status of petitions and reports arising from the public as deduced from table 4.1

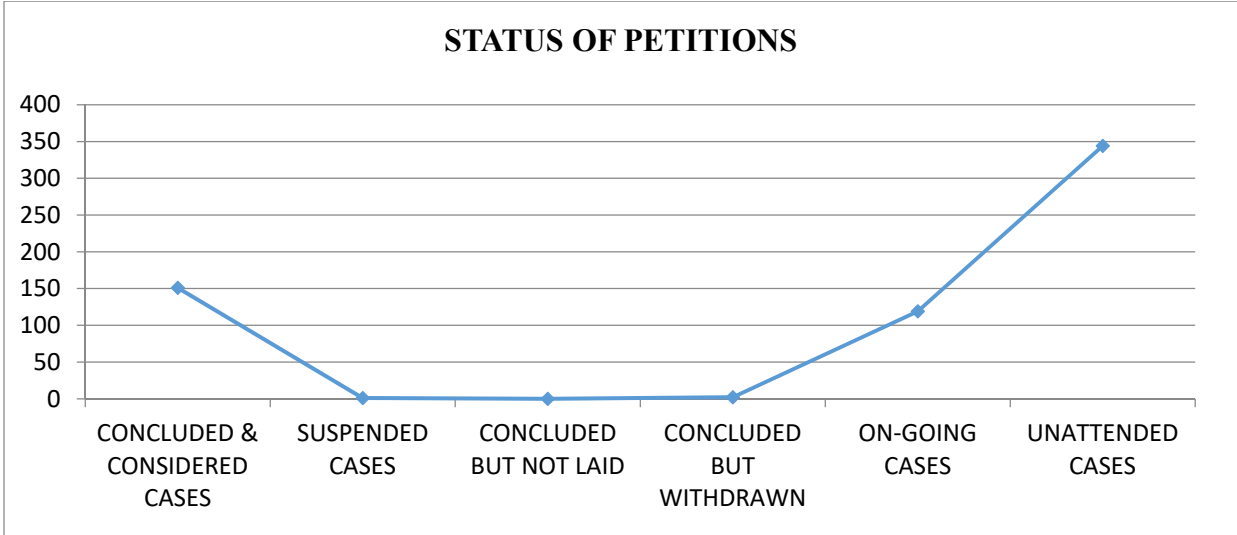


Chart 2. Status of petition and reports (Source: Senate CEPPP, 2019)

Data analysis

Chart 2 shows that 151 cases were laid, concluded and considered, one petition was concluded but the consideration of a report was suspended, all concluded reports were laid, and only two concluded reports were withdrawn for “political reasons”.

The chart shows also that the unattended cases were the highest and above average, totaling 344 which represent 53.4 % of the total petitions received and petitions did not receive the attention of committee due to some reasons. Some of the reasons ranged from inability to meet up to the standards of petition acceptable by the Senate, insufficient personnel in the Committees capable of handling reports without supervision as it slows the rate of committee activities. The cases considered and concluded were 151 which represented 23.4% the total petitions received. It also proves that despite the fact as seen from the above explanation that 8th Senate CEPPP performed well, yet their performance was not up to 50% of the petitions received. Cases being currently treated (i.e. cases that were undergoing the process of resolution were 119 covering 18.4% of all

petitions received.) Most of the cases has lasted long in the process of resolution without being concluded because either the respondents who are majorly government Chief executives were not responding to the invitations by the committee or gave excuses. Sometimes the respondents or petitioner were asked to produce further evidence to support their proof and this might take a longer time. Some of the cases in this category were sent back to the Committee after consideration for further amendment.

The quality and capability of the chairman and members of the committee during the 8th Senate gave rise to their improved performance in the outcome of the committee work. Also, the academic discipline of the 8th Senate Clerk to the Committee aided the quality of report presented to the chamber as none of their report were ever corrected of errors in the chamber.

The 8th Senate secretariat staff were engaged in some trainings/retreat by both the committee and other parliamentary support organization like PLAC which motivated the staff to work harder. Moreover, the 8th Senate through the support of PLAC engage the activities of a professional website administrator to give wider coverage to the committee activities. Finally, cases yet to be concluded are presented in Figure 4.3 below.

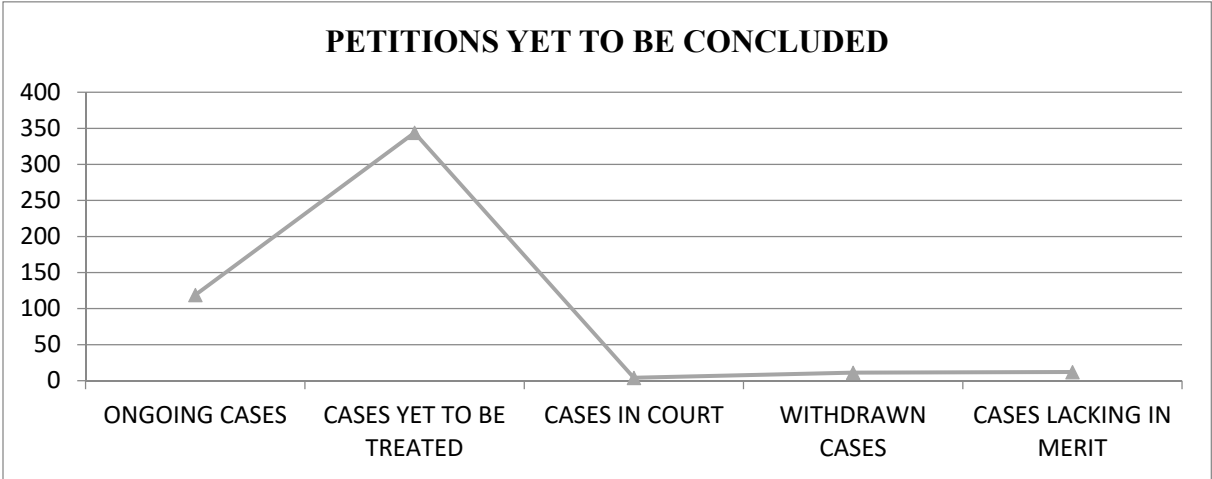


Figure 4.3 Petitions yet to be concluded (Source: Senate CEPPP, 2019)

Data analysis

Figure 4.3 above shows that out of 644 petitions which were received by the CEPPP, the cases which were ongoing before the expiration of 8th Senate were 119, cases or petitions yet to be treated were 344, cases in Court were 4, 11 petitions were withdrawn by the petitioner and 12 cases were also dropped due to lack of merit.

Table 4. 2. Reflection of the Report of the Senate Committee on Ethics, Privileges and Public Petitions on its Activities in the Four Sessions (June, 2015 – June, 2019) of the 8th Senate of the National Assembly.

S/ N	Session	Meeting/ Hearing s	No of Reports laid	Carry over cases	No. of Training
1	1st Session	47	30 (32 concluded but 2 were withdrawn)	119	3
2	2 nd Session	44	48 (39 considered while 9 were waiting for consideration)	275	1
3	3 rd Session	39	59 (57 were adopted while 2 were recommitted to Committee)	300	2
4	4 th Session	16	25		Nil

Source: Report of the Senate Committee on Ethics, Privileges and Public Petitions

Data analysis

In the first session of the 8th Senate, the Committee held 47 meetings/hearings to deliberate on petitions referred to it by the Senate. A total number of 153 petitions were referred to the Committee, the concluded investigations was 32, out of which 30 reports were laid before the Senate and 2 petitions withdrawn during Plenary. 119 petitions were at various stages of

investigation at the end of the first session. In the second session, the Committee held 44 meetings/hearings to deliberate on petitions referred. A total of 208 petitions were referred to the Committee in the Second Session, while 119 petitions which were at various stages of investigation in the first session were carried over to the Second Session for completion of Committee investigation. In all, a total of 327 petitions were before the Committee for investigation. The Committee concluded forty-eight (48) petitions during the Second Session whose reports were laid and thirty-nine (39) was considered by the Senate while nine were awaiting consideration at the end of the second session. During the Third Session of the 8th Senate, the Committee held 39 hearings to deliberate on petitions referred to it by the Senate. A total of 261 petitions were referred to the Committee in the Third Session, while 275 petitions which were at various stages of investigation in the First and Second Sessions were carried over to the Third Session for completion of Committee investigation. In all, a total of 536 petitions were before the Committee for investigation. The Committee concluded fifty-nine (59) petitions during the Third Session. Out of the fifty-nine (59), fifty-seven (57) were adopted by the Senate while two (2) were recommitted to the Committee for further investigation. And finally, in the Fourth Session (last Session) of the 8th Senate, 16 hearings were held to deliberate on petitions referred to it by the Senate. A total of 22 petitions were referred to the Committee in the 4th Session, while 300 petitions which were at various stages of investigation in the First, Second and Third Sessions were carried forward to the Fourth Session for completion of Committee investigations. In all, a total of 644 petitions were referred to the Committee in all four sessions. The Committee concluded twenty-five (25) petitions during the Fourth Session and all were adopted by the Senate.

4.2 Challenges facing the 8THCEPPP in Resolution of Petitions

The Committee, while striving to do its best, faced enormous challenges. Such challenges include the absence of members of the executive arm who most times ignores the invitations by the committee thereby making it difficult for the committee to carry out its Legislative function (Fashagba (2009)). This confirms Akan (2021) argument, that “our Ogas (executives) has more important assignment than sitting every time in the petition committee to talk”. He added that “any time the Inspect General of Police sent a representative, the committee will turn them back on the ground that no proxy is allowed”. Also Christian (2021) interviewed, responding to the same issues pointed out that Chevron had a clause in all their contract agreement which indicated that arbitration is the means of settlement where conflict arise, so trying to drag the organization to the committee is not totally welcomed by them. Still in conformity to the above assertion, Bayo (2021), a petitioner interviewed, remarked that the committee on EPPP has not been doing well with their petition. He emotionally narrated that, since after the first appearance of Chevron Nigeria Limited in respect of their case where the Committee advised the two parties to meet and discuss the way forward in their matter and report back, Chevron has not shown up again. Arising from this, the SCEPPP continued telling them (petitioner) that they (committee) will issue warrant of arrest to Chevron Nigeria which they never did up till the time of this investigation.

Moreover, further findings of the study through the interactions with other informants interviewed, revealed that absence of the executive were majorly due to the several factors such as: other engagements that needs to be attended by the heads of those agencies; the committee refusal to accept proxy from the executive during investigation; frequencies of the committee invitations to some agencies like Nigerian Police Force which makes it difficult for them to meet up every time with the invitations, and cases already existing in the court.

Another point is the lackadaisical attitude of implementing agencies towards the resolutions and recommendations of the Committee. To this effect, five of the informant contacted via mobile line refuted this statement, stating that all the recommendations of the committee on CEPPP pertaining to their respective cases were given full implementation. However, one of the cases by the Nigerian Police took up to a year after the resolution of the Senate to receive full implementation even though he refused to state why the delay in the implementation.

Additionally, a more important fact is that of financial constraints in the face of committee's enormous tasks. The SCEPPP needs adequate financial support from both the Management of National Assembly and other parliamentary donors to properly investigate cases without seeking for help from investigating agencies or petitioner as this may influence their judgment.

Similarly, the Sessions reports of all the 4 sessions of the 8th Senate signed by Distinguished Senator Samuel Anyanwu and Mr. Freedom Osolo, Chairman and the Clerk of the 8thCEPPP respectively noted the challenges peculiar to the Committee as follows:

- 1) Office accommodation for the Committee Secretariat. The Secretariat is currently operating from a store in the basement of the New Senate Building which is not conducive and hardly located by petitioner or intending petitioners who wishes to access the Committee office.
- 2) The un-cooperative attitude of some organizations and individuals in responding to invitations to meetings/hearings from the Committee for the handling of cases is also a setback for quick resolution and conclusion of cases. This is common among some government chief executives who often avoid invitations or give excuses for invitations.

- 3) Some organizations/individuals instituted court action against the Senate and obtained injunctions in order to avoid appearing before the Committee thereby frustrating investigation of the Committee. For instance, “The Nation Newspaper” instituted a court case against the National Assembly, the Senate and the Committee at the Federal High Court, Lagos over a petition against it from Senator Ndume Ali.
- 4) The Committee had never embarked on study tour to any foreign parliaments to understudy the workings of their Ethics Committee. This should be encouraged to bring members and staff up to date comparatively.
- 5) Volume of Work- The Mandate of the Senate Committee on Ethics, Privileges and Public Petitions allows for unparalleled engagement with Nigerian citizens who may present petitions on issues or grievances relating to the conduct of the affairs of public offices to the Committee. As Petitioners do not have to pass through the formalities or financial burden of going through the court system, the Committee is an appealing channel for petitioners to present their cases to be investigated and heard. However, this could pose a challenge for the Committee who face an increasing workload due to its free access at no cost. Most of its Members belong to other Committees in the National Assembly, they may be unable to give the Committee the undivided attention it requires. Thus, the capacity of the Committee may be constrained to meet the volume of cases it is presented with. This is made worse by the existing structure that enables only the Federal Legislature or National Assembly hear public petitions.
- 6) High Turn Over of Legislators- The high turnover of Legislators during and after each Assembly limits the efficiency and effectiveness of the Committee. In such instances where new members are first time Legislators, time and effort are taken to get acquainted with the mandate of

the Committee in the National Assembly and build their capacity. In the 9th Senate, only one Member of the Committee on Ethics, Privileges and Public Petitions (Senator Matthew Urhoghide) was a Member of the Committee in the 8th Assembly.

7) Non-compliance with Resolutions of the National Assembly- Another limitation to the efficiency and effectiveness of the Committee is in the area of non-implementation of Resolutions adopted by the Senate following the Committee's recommendations.

However, as the Senate Committee on Ethics, Privileges and Public Petitions deals mostly with the affairs of the ordinary citizen in the society who are unjustly treated in their place of work or in their dealings with the bodies or institutions petitioned against, it is imperative that its resolutions adopted by the Senate are implemented to enhance citizen engagement and trust in the Legislature. Following this, it is important that the work and mandate of the Committee are visible and familiar to the public, so that citizens are aware of the process and procedures for filing public petitions in addition to understanding the powers and mandate of the Committee. This is particularly so as a lack of information on the side of the public will invariably hinders citizenry participation and affect the optimal achievement of its mandate.

The challenges of Legislative committees listed by Fashagba (2009) and those by Osolo are instructive and agrees in most case, however, this study aligned with the views of Osolo because of the peculiar nature of the Senate Committee on Ethics, Privileges and Public Petitions.

4.3 Panacea to the Challenges of 8th SCEPPP

Sequel to the above, the study suggested the following as strategies to mitigate the challenges militating against the effectiveness of the CEPPP.

1) Adequate office accommodation be provided for the Committee Secretariat.

- 2) The Committee should be exposed to international best practices by exposing them to similar Committees in other climes.
- 3) Deployment of Technology and Social Media- The Committee should aim for full scale deployment of modern technology and mainstreaming digital/technical corporate culture in its records/data management and stakeholder engagement. It could also deploy technology in increasing public awareness through electronic newsletters, media campaigns, live streaming of its hearings in addition to providing information on its work through social media tools like Facebook and twitter for instance. The disaggregation of data through proper records/data management will also aid the Committee to monitor its users, their sex and class which can help it assess its reach and make proper adjustments where necessary.
- 4) Engagement and Partnership with Civil Society Organizations -Civil Society Organizations (CSOs) remain critical stakeholders to the advancement of human rights. CSOs can partner with the Senate Committee on Ethics, Privileges and Public Petitions to educate the public on the powers and duties of the Committee.
- 5) Capacity Building of Members and Staff– Due to the high turnover of Legislators in each Assembly and a change in composition of membership, there is need for Members and staff to improve on their skills and competencies required to increase the efficacy of the Committee. This could also involve carrying out an evaluation or a needs assessment of its capacity in addition to partaking in trainings. As the secretariat serves as the institutional memory of the Committee, there is need to strengthen its capacity to provide continuity during the transition and induction of new and returning Legislators.
- 6) Exploring the Possibility of the Public Petitions Office at State Houses of Assembly level - Due to the large volume of public petitions that the Committee receives and the fact that

petitioners and respondents may have to travel from across the country, there is need to explore the possibility of having a Public Petitions office at the State level.

7) The Senate should act promptly by issuing a warrant of arrest to as many respondents that would want to avoid being summoned to appear by hiding behind injunctions.

8) Development of a Mechanism to Ensure Compliance with Resolutions- The work of the Committee would be incomplete and counterproductive if strict adherence is not given to the Resolutions passed by the National Assembly. It is important for the Committee and the National Assembly that the Public and other stakeholders adhere to them, as this will further strengthen the work of the Legislature and the smooth and efficient running of democratic governance. The Committee should commit to developing a mechanism that will ensure that the public and other stakeholders obey resolutions passed by the National Assembly.

9) E-Petitions - Although petitions have existed in society for centuries, e-petitions have become increasingly popular in the 21st century. Some notable Parliaments that have adopted the use of e-petitions include the United States Congress, the United Kingdom's House of Commons, the Scottish Parliament and the European Parliament to name a few so the Nigerian National Assembly need to upgrade the SCEPPP to such a standard because in Nigeria, the standing order of the Committee requires a petition to be handwritten and affixed with original signatures of petitioners. While this requirement is to validate the originality of a petition, countries around the world have adopted the use of an e-petition system that promote efficiency and output. Best practices for petitions to Parliament also appear to involve both the use of paper and e-petitions. In addition to the reduced effort and costs associated with submitting paper petitions, some of the identified advantages of the e-petition system include;

- Increased transparency and legitimacy of political systems

- More efficient petitions collation and record keeping system
- Enhanced political participation by citizens
- Increased public opinion and improved public perception of the National Assembly.

Utilising an e-petition system will undoubtedly revolutionize the availability and reach of the Senate Committee on Ethics, Privileges and Public Petitions as it facilitates quick and expansive communication between citizens and the Legislature. Any citizen with a smart phone or computer with internet connectivity will be able to raise issues for consideration which will consequently increase public awareness of the Committee and its mandate.

Lastly, the academic background of the members and staff of the committee should be considered, giving priority to lawyers and staff with good knowledge of use of English to enhance report writing and presentations.

4.4 Further Analysis on the Performance Assessment of the 8th SCEPPP

Through the key informant interview during which interactions were held with some petitioners, respondents and members of the committee, it is good to also support the analysis done above with a summary of the outcome of such interactions in order to strengthen the study. All the informants (respondents) interviewed disclosed that they (executives) most times could not attend to the invitations by the committee partly because the Committee do not permit proxy and invitation dates clashed with the Federal Executive Meeting (FEM) or other important official assignment which must be attended to by the same heads of the organisations. It was also pointed out that the Committee invitations do come regularly/frequently to some agencies of government like Nigerian Police Force which makes it difficult to meet up with such frequent invitations

having their own assigned duties and responsibilities for the Citizens. Christian (2021) interviewed, responding on behalf of his organisation (respondent to a case with SCEPPP) on a particular case with the Committee who has shown up to the Committee once but refused to report back for the case to be concluded, when contacted on their reasons, stated that, there was an existing clause/policy in the organization's letter of agreement or contract of any type which states that court is the means of resolving any conflict against the institution. Although, he agrees that some petitioners may not have the financial power to engage those big government institutions in court, he believes that their organization prefers the use of court where issues are to be handled by legal professionals than committee investigative hearings. He concluded that most of their cases with the committee are already before the court of law and need not interference by any other body.

On the issue of effective performance of the Committee's activities, Bayo a petitioner representing the Community in Ilaje Local Govment Ondo State against Chevron, stated that the SCEPPP has not been doing well with their petition because since after the first appearance of Chevron Nigeria Limited in respect of their case where the Committee advised the two parties to meet and discuss the way forward in their matter and report back, Chevron has not shown up again and the SCEPPP kept telling them (petitioner) that they (committee) will issue warranty of arrest to Chevron Nigeria which they never did up till the time of this investigation. Four out of five informants(petitioners and respondents) believed that the 8thSCEPPP were open and transparent having made almost all their investigative process open for public participation and not been biased or influenced. Contrary to the afore narrations, Isioma (2021), as a petitioner, expressed his doubt on the credibility of the committee noting that detailed investigations were not done in his petition against Petroleum Training Institute to unravel the truth about the matter. All the petitioner

and respondents interviewed narrated, that one of the major challenges of the committee is that their invitation letters do not get to them on time to give room for adequate preparation. Similarly, an informant explained how an invitation letter from the committee got to them a day to the date of the investigative hearing/meeting. Due to the fact that they (respondent) needed to gather information from their zonal office about the case in question before honouring the invitation, there was no other option than to ignore the invitation until subsequent one before they appeared. This confirms the fact that the SCEPPP does not use modern ICT means which tends to slow down the petition process,

All the members of the committee that were interviewed aligned the challenges of the committee with that of the clerk of the committee as mentioned earlier while maintaining that it is not within the mandate of the SCEPPP to monitor compliance by the agencies, hence, the creation of the Legislative Compliance Committee to maintain internal cohesion and external respectability, orderliness and progress in the activities of the Senate. The Legislative Compliance Committee is expected to ensure that adequate measures are put in place to guarantee implementation of National Assembly resolutions and other sundry issues by all government agencies.

4.4 Discussion of Findings

The main objective of this study is assess the performance of SCEPPP in carrying out its mandate as it relates to petition using the number of petition received, concluded, under process and not treated by the Committee on Ethics, Privileges and Public Petitions in the 8th Senate. Specifically, the study investigated the role played by the 8th Senate Committee on Ethics,

Privileges and Public Petitions in consideration of petitions, the challenges of 8th SCEPPP and proffer solution to the challenges of the Committee.

The study so far has revealed that the 8th SCEPPP in line with Order 97 (4) (a) (b)(c) of the Senate Standing Rules 2015 (as amended) had performed its jurisdictional mandate as it relates to petitions as it attended, concluded and considered 151 petitions as an Ombudsman. Equally, Performance Assessment of the extent of the discharge of the mandate of the Committee assert that the unattended cases/petitions were the highest and above average, totaling 344 which represent 53.4 % of the total petitions received and these petitions did not receive the attention of committee due to some challenges which ranges from inability to meet up to the standards of petition acceptable by the Senate, reduction in the number of meeting/investigative hearing, other engagement by members of the committee, lack of motivation on the staff side, insufficient capable personnel in the Committees to handling reports without supervision as all petitions are edited by only the clerk of the Committee and this slows the rate of committee activities. The cases concluded and considered were 151 which represented 23.4% of the total petitions received. The rises in the number of petitions received by the committee from 1st session to 3rd were ignited due to the response the various petitions were getting from the committee without spending a kobo thereby creating awareness. One of the cases that brought the workings of the 8th Senate to the lime right and attracted much applaud to the committee was the case of Albino that that was denied letter of appointment after he had written the Police examination and passed, scoring 82% and after having been allowed to complete police training, because of the mere circumstances of his birth as an albino. The Committee intervened on his behave and he was reinstated (CEPPP Case Report). The researcher also observed that most of the meetings held by the 8th Senate CEPPP were made public and the people were allowed to follow the process of resolving issues and that gave

Nigerians the confidence that justice can be gotten through the Committee. Notwithstanding, this study also disproves the excellent grade performance marks about the 8th SCEPPP as stated in the 8th Senate valedictory session, opening speeches by 8th Senate Chairman of the committee during the Committee retreat at Intercontinental Hotel, Lagos, Staff and Clerk of the 8th SCEPPP having observed that their performance were not up to 50% when compared with the number of petitions received. Cases being currently treated (i.e. cases that were undergoing the process of resolution) were 119 covering 18.4% of all petitions received. Most of the cases had lasted long in the process of resolution without being concluded because either the respondents who are majorly government Chief executives were not responding to the invitations by the committee or gave excuses. Sometimes the respondents or petitioner were asked to produce further evidence to support their proof and this might take a longer time. In some of these cases, the long distance of transport the petition down to Abuja became difficult as some are aged and senior citizens.

The quality and capability of the chairman and members of the committee during the 8th Senate gave rise to their improved performance in the outcome of the committee work having observed the number of times meetings were held. Also, the academic discipline of the 8th Senate Clerk to the Committee who during the interview was gathered that he studied English language to a master's degree level aided the quality of report presented to the chamber as none of their report were ever corrected or turned back base on grammatical errors in the chamber.

The 8th Senate secretariat staff were engaged in some trainings/retreat by both the committee and other parliamentary support organization like PLAC, and NILDS which motivated the staff to work harder. Moreover, the 8th Senate through the support of PLAC engage the activities of a professional website administrator to give wider coverage to the committee activities though

nothing much were achieved through the site as few people were aware of it and no single petition has been submitted or question attended online and petitions cannot be submitted electronically.

Subsequently, this study reveals that inadequate funding of the Committee, use of electronic petition, insufficient office space and utilities, inadequate training of secretariat staff to international standard, Members commitment to other legislative activities, undue political interference in committee activities as the challenges militating against the effectiveness of the senate Committee on Ethics, Privileges and Public Petitions aim to be the ombudsman and watchdog of the people. Consequently, it suggested that training of more staff should be considered, provision of more fund for the Committee activities, digitalization of petition process for easier accessibility to the CEPPP and creating more awareness, providing more office space to accommodate the activities of the committee.

CHAPTER FIVE:
SUMMARY, RECOMMENDATION AND CONCLUSION

This chapter covers the summary, conclusion and provide based on the recommendations of the study.

5.1 Summary

In this study, the researcher set out to assess the performance of 8th Senate Committee on Ethics, Privileges and Public Petitions in carrying out its mandate as it relates to petitions. The study sought to: examine the roles played by the Committee, to identify the challenges of the 8th SCEPPP and proffer solution to the challenges that militated against the effective performance of the SCEPPP. The rationale for the research lies on the peculiarity of the committee and the vitality of public petition in legislature to avoid democratic decline and to enhance proper representation of citizens. The 8th SCEPPP is created among other thing to act as an Ombudsman and Watchdog between the Government and Citizens.

To achieve the objectives set in the study, the qualitative research design was adopted, employing the census sampling technique. Thus, examining the sessional reports of the Senate Committee on Ethics, Privileges and Public Petition 2015-2019. Other sources of secondary data were books, journals, magazines, internet, etc. Content analysis was used in analyzing these data.

The study observed that the performance of the Senate Committee on Ethic, Privileges and Public Petitions in relation to petitions as outlined in the Standing Order of the Senate of the Federal Republic of Nigeria (2015, as amended) were poor by this assessment. The study notes

that the roles played by the 8th SCEPPP was measured by the numbers of petitions received, considered, under process and not treated since it is primarily responsible for petitions. This study identify the following as challenges that militated against the effectiveness of the Committee: inadequate resources, lack of time/commitment of members to other activities, analogue means of communication used by the committee, capacity of Staff, low turnover of members etc. Consequently, the study suggests provision of adequate resources, less involvement of members of the committee in other legislative activities, use of electronic petitions, training of the staff to international standard and retaining old members of the committee.

This research shows that the performance evaluation done by the Committee on its activities as seen from the sessional reports of all the four sessions in the 8th Senate, the valedictory speech of the then Chairman of the Committee and the then Senate president, Senator Bukola Saraki that the Senate Committee on Ethics, Privileges and Public Petitions are biased upward and in line with the research as earlier mention, conducted by the Hon. Ken Coghill (previously a Speaker in the Victorian Parliament) and Professor Colleen Lewis which demonstrates that committee members generally find their committee work very satisfying. Therefore, any performance information that drew on the opinions of committee members in relation to their own work may be biased upwards.

5.2 Recommendations

Based on the findings of this study, the researcher makes the following recommendations that will promote the Committee effectiveness and enhance good governance. It is directed to the members of parliaments(MPs), the petitioners, the elites and the general public.

- 1. Engagement and Partnership with Civil Society Organizations and International Parliamentary Partners:** Civil Society Organisations (CSOs) remain critical stakeholders to the advancement of human rights. CSOs and other Parliamentary Partners can partner with the Senate Committee on Ethics, Privileges and Public Petitions to educate the public on the powers, duties and the procedures in the Committee.
- 2. Capacity Building of Members and Staff:** There is need for regular training of members and staff of the SCEPPP on electronic petition to make the process of petition faster and also interactive visits to other petition committees in the parliaments of the developed countries should be engaged to build up their capacity. This could also involve carrying out an evaluation or a needs assessment of its capacity in addition to partaking in trainings. As the secretariat serves as the institutional memory of the Committee, there is need to strengthen its capacity and expose them to international practices to provide continuity during the transition and induction of new and returning Legislators.
- 3. Development of a Mechanism to Ensure Compliance with Invitations:** It is important for the Committee and the National Assembly that the Public and other stakeholders comply to invitations as this will further strengthen the work of the Committee for the smooth and efficient running of democratic governance. The Committee should use their power and issue warrant of arrest to defiant invitees and commit to developing a mechanism that will ensure that the public and other stakeholders comply to the demands of the Committee during investigations/meetings.
- 4. Adequate Funding of the Committee.** The Committee should be well funded by the National Assembly and other parliamentary support organizations/partners to ensure that proper investigations are carried out and timely.

5. Deployment of Technology and Social Media: The Committee should aim for full scale deployment of modern technology in its records/data management and stakeholder engagement. It could also deploy technology in increasing public awareness through electronic newsletters, media campaigns, live streaming of its hearings in addition to providing information on its work through social media tools like Facebook and twitter for instance.

6. Exploring the Possibility of the Public Petitions Office at State House Level:

Due to the large volume of public petitions that the Committee receives and the fact that petitioners and respondents may have to travel from across the country, there is need to explore the possibility of having a Public Petitions office at the State level.

7. Creating a sub-committee with a Clerk to head each and delegate who will handle the different aspect of petitions.

5.3 Conclusion

The Senate Committee on Ethics, Privileges and Public Petitions is an important Committee capable of transforming citizens experiences in their interface with the Legislature. Nevertheless, as have been demonstrated in the course of this study, the SCEPPP is one of the oldest committee in the parliament, the ombudsman of the Senate. Since human affairs cannot be free from problems the need for an effective Senate Committee on Ethics, Privileges and Public Petitions cannot be discountenanced. On this note, this study indicates that the performance of the committee in handling petitions referred to it has been poor below the pass mark by this assessment, therefore more efforts needs to be put in place towards the discharge of the Committee's Legislative role in order to ensure a more reliable and efficient citizen's

representation. However, this study has been able to identify factors that militated against the effectiveness of the 8th Senate Committee on Ethics, Privileges and Public Petitions and the current mechanism of providing citizens with a voice to participate in decision making and democracy can be improved through the implementation of the recommendations contained in this research paper.

5.4 Contribution to Knowledge

The study of Committee system in general, and specific legislative committees have been subject of a lot of researches. However, the present study contributes to knowledge in that, its analytical scope was delimited to the 8th Senate Committee on Ethics, Privileges and Public Petitions and had created awareness of the activities of the Committee. Therefore, the study identified beneficial lessons for the citizens, subsequent CEPP and National Assembly.

5.5 Suggestion for Further Study

The present study assessed the performance of 8th SCEPPP, future studies should be focused on enhancing the productivity of the Senate Committee on Ethics, Privileges and Public Petitions to ensure more dividend of democracy to petitioners.

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