

**LEGISLATIVE OVERSIGHT FUNCTIONS IN NIGERIA:
A CASE STUDY OF IMO STATE HOUSE OF ASSEMBLY**

BY

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MAT NO: PG/NLS/1900043

**BEING A DISSERTATION SUBMITTED TO THE NATIONAL INSTITUTE FOR
LEGISLATIVE AND DEMOCRATIC STUDIES /UNIVERSITY OF BENIN
(NILDS/UNIBEN) POST GRADUATE PROGRAMMES IN PARTIAL FULFILMENT OF
THE REQUIREMENTS FOR THE AWARD OF MASTERS DEGREE IN LEGISLATVE
STUDIES (MLS)**

MAY, 2022

CERTIFICATION

This Dissertation titled “**Legislative Oversight Functions in Nigeria: A Case Study of Imo State House of Assembly**” has been approved as meeting the requirements for the award of Master Degree in Legislative Studies (MLS), UNIBEN-NILDS Postgraduate School Studies.

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DECLARATION

I declare that this dissertation work is entirely my original work which has been written by me to the best of my knowledge; it has not been previously presented in any form in the application for Masters Degree in Legislative Studies.

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DEDICATION

This research work is dedicated to the Holy Trinity; God the Father, God the Son and God the Holy Spirit, the giver of knowledge, wisdom and understanding.

ACKNOWLEDGEMENTS

I wish to express my profound appreciation to the Management of Nigeria Institute for Legislative and Democratic Studies/University of Benin School of Post Graduate Programme (NILDS/UNIBEN) for providing conducive environment for learning and to my Supervisor **Prof. Jide Oladipo** who from his pool of wit led me through the writing and completion of this Dissertation; I really respect the patience, insight and dexterity with which he handled my work. My deep gratitude goes to my Lecturers at Nigeria Institute for Legislative and Democratic Studies/University of Benin School of Post Graduate Programme (NILDS/UNIBEN) for the knowledge imparted in the course of this programme. To my mother and siblings I say remain blessed always for your encouragements and consistent prayers. My gratitude goes to several authors whose books, articles, journals have been found useful in this research work. For those whose names have not been mentioned here, there is no deliberate intention to ignore their roles; I remain grateful to them in no small way. Finally, to the Almighty Father (Jehovah) I say all honour, glory, majesty and adoration be ascribe unto thy Holy name, for without thee, everything would have been in vain.

Oluebube Christian NWAEGBU

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ABSTRACT

In the modern-day constitutional democracy, (ideal situations) effective and efficient legislative oversight functions ensure executive compliance with legislative intent, improves, efficiency and effectiveness in conduct of public enterprises and economy of government operations, evaluate government programme performance and ensures value for government resources. However, much of these attendant benefits has not been witnessed in the Imo State House of Assembly in recent time. Therefore, this study examines the performance of oversight functions by the Imo State House of Assembly; identified factors influencing the discharge of the oversight mandate by the Committees of the Imo State House of Assembly; and proffered solutions to identified challenges. This study became important as it brought to the fore what obtains at the subnational level in terms of legislative oversight of the executive using Imo State as a case study. It also exposed the peculiar deficiencies in the discharge of the oversight mandate by the Committees. This would also bridge the gap in literature on the importance of plight of state houses of assembly in overseeing executive arm of government in Nigeria.

This study adopted the mixed research design, which is a mixture of quantitative and qualitative research designs. The choice of research design is because the study employed the use of a questionnaire as a source of primary data as well as Key Informant Interviews [KII] and the sessional reports of selected committees of the Imo State House of Assembly, Journal articles, Newspapers and Magazines, Textbooks. To address objective 1, information was sourced from existing scholarly articles and documents as well as through primary sources (questionnaires and KII). While there was an interplay of secondary and primary data in addressing objective 2. The study also adopted the quantitative and qualitative analytical frameworks to examine the performance of oversight functions by the Imo State House of Assembly.

In addressing objective one, this study found that although the Imo State House of Assembly has succeeded in exerting its oversight powers in overseeing state MDAs, its dependence on the executive arm for funding has limited its effectiveness. For objective two, the study found that factors such as insufficient cooperation from the state MDAs; inadequate resources (material and financial); corruption and personal interests of the Legislators; capacity-deficiency as being major clogs in the wheel of effective performance of legislative oversight functions in Imo State.

The study recommended among others provision of adequate resources for the State Legislature by Government; capacity development programmes for Legislators and their aides through partnership with capacity development institutions such as National Institute for Legislative Studies (NILDS); improved cooperation between Ministries, Departments and Agencies of government through regular retreats; adoption of self-accountability measure such as performance appraisals for the members of the Committee; and enforcement of the implementation of oversight recommendations through necessary legal instruments. State houses of assembly, like the Imo State Assembly is constitutionally empowered to oversight Ministries, Departments and Agencies of government within the various states. Thus, Imo State House of Assembly is no exception and has performed its oversight duties averagely despite the avalanche of challenges faced in the discharge of the functions. This study is a modest attempt to expose what obtains in states in terms of legislative oversight of the executive and the challenges undermining its effectiveness.

CHAPTER ONE

INTRODUCTION

1.1. Background to the study

Sections 4, 5, and 6 of the Constitution of the Federal Republic of Nigeria [CFRN] 1999 (as altered) describe the role of the arms of government premised on the principle of separation of powers. The legislature is an institution that represents the common and collective interests of the citizens through lawmaking and the exercise of oversight functions on the activities of the other two arms of government i.e., the executive and the judiciary. Thus, a legislative assembly comprises a group of elected people that make and change the laws of a country. This group of elected people is given a mandate by the citizens to represent them and be the voice for articulating their concerns at the national level. The legislative powers in Imo State are vested in the House of Assembly (CFRN, Section 4(6), 1999, as altered). Given this, Sections 128 and 129 of the CFRN 1999 (altered) further empower the Imo State House of Assembly to direct or cause an investigation to be directed into matters it has powers to make laws, as well as procure all evidence or material relevant to the subject matter respectively.

The parliament or legislature is one of the organs of government empowered with checking the activities and actions of the executive organ of government. Parliamentary oversight over the executive is, therefore, a means by which the parliament make supervision over the executives' action. Parliament's oversight function is more efficiently and visibly developed at the level of committees (Geneva Centre for the Democratic Control of Armed Forces [DCAF], 2012). DCAF noted further that committees' oversight activities are independent of the plenary or from the legislative schedule. Parliamentary committees are visibly the most powerful mechanisms to ensure that the government is always accountable (Frolick and Tau, 2013). Hence, the legislature

relies on committees, referring all sorts of matters to them for consideration. For this, Frolick and Tau alluded that committees are an integral part of the work of the parliament, to which they report back to on all issues referred to them, even simple requests for information. The informative role of legislative committees was re-echoed by Battglini, Lai, Lim, and Wang (2018) when they observed that the informative task that legislative committees undertake, is the incentive for which they perform their functions even though there may be a conflict of interest among its members.

According to Ojogwu and Ashiekaa (2011), legislative committees are small groups or sub-division of legislators assigned on a temporary or permanent basis during the lifespan of a parliament to examine matters more closely than could be done in the plenary. Given this, Dan-Azumi (2015) concluded that a committee is an essential element in the organization of a legislative House, hence, he argued that almost all legislatures depend on committees to conduct their businesses. On this note, Dan-Azumi alluded that committees are sub-division of the House established to aid the parent body in the preparation and detailed examination of draft laws or other matters for consideration by the Assembly. Dan-Azumi's position was re-echoed by Abiola (2018) as he noted the functions of legislative committees to include that it allows the parliament to perform, several functions simultaneously, detailed investigation and discussions, in-depth review of policy matters or bills, etc. This may have prompted Woodrow Wilson's assertion that "Congress in session is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work." While it must be stated that plenary or regular sittings of the legislature-Imo State House of Assembly, is not futile as it serves as the forum for the debate/endorsement of committee recommendations, committees, however, encapsulate a miniaturized legislature in description with a sector-specific decentralized mode of operation that further enhances its contribution to the effectiveness of the parent House.

The role of legislative committees varies between jurisdictions but is often determined by the governing system, the organization, the strength of political parties, etc. within those places (Abiola, 2018). Regardless of jurisdiction, a seeming convergence in committee characteristics is in the areas of legislation and oversight. Because of this, “The Legislative Committee” (2018) averred that the sub-units referred to as committees, play a primary role in examining bills assigned to them, and making recommendations if those bills should become law in the legislative process. Hence, Verney (1969) affirmed that the watchdog function of a legislative assembly is perhaps more important to it than that of lawmaking. Therefore, to entrench an efficient and productive governance culture, the exercise of effective legislative oversight remains crucial. The main purpose of this is to provide a powerful check on the executive authority, enhancing accountability where a dominant executive branch might operate with impunity (Arowolo, 2010).

Legislative oversight aims at ensuring that all relevant social groups are included in and benefit from nation-building and development exercises and that government policies and budgets are implemented in an effective, transparent and accountable manner (Arowolo, 2010). On this note, Arowolo (2010, p. 29) noted further that “the principle behind legislative oversight is that legislative function does not cease with the passage of a bill”, thus, her assertion that “the concept of oversight exists as an essential corollary to the lawmaking process”. The power of oversight is conferred on the Imo State House of Assembly by the Constitution to enable it to expose corruption, inefficiency, or waste in the execution or administration of laws within its legislative competence and the disbursement and administration of funds appropriated by the Acts (Section 128 of the Constitution of the Federal Republic of Nigeria [CFRN], 1999, as altered). To this end, the Imo State House of Assembly as the representatives of the people is expected to follow up its legislation to make sure that they are obeyed and flawless.

1.2. Statement of study problem

The role of the Legislature in the governance of states, beyond the enactment of good laws, must be seen in terms of whether it is effectively conducting oversight functions or not (Agbedi et al., 2020). The opportunities provided by the oversight function enable the legislature to scrutinize and vet the activities of the executive arm of government are crucial (Egobueze and Dumnu, 2020). Parliaments, usually, conduct legislative business more effectively through committees, to make possible the opportunity to explore an issue in detail and be able to access every information needed to be able to take the right decision. Overall, diligence, efficiency, and proper analysis of information are the essential factor that committees in parliaments are expected to guarantee towards the overall image of the parliament in the discharge of its constitutional functions. Accountability is one of the most important procedural characteristics of a well-functioning democracy (Pelizzo, 2013). It is all about questionability and answerability to those who have invested their trust, faith, belief, and resources for the government.

The oversight function of the legislature relates to the role of providing effective checks on the performance of the executive arm and its agencies to ensure effective implementation of government policies for the good ordering of the society (Fagbadebo, 2019; Friedberg, 2011; Pelizzo and Stapenhurst, 2004). In most countries, the legislature has the constitutional power to both oversee and hold other governmental agencies to be accountable and transparent. In the light of the increased focus on good governance, academics are increasing public awareness on the importance of legislative oversight to curb corruption, increase public financial management, enhance accountability and contribute to institutional stability which would drastically reduce and or eliminate poverty and engender development. The oversight tools available to legislature vary based on the typology of the legislature or the instrument that directs the affairs of such legislature.

In Nigeria, state houses of assembly are perceived as rubber-stamp legislatures that carry out the instructions of the state governors and by extension the entire executive arm of government (Eme 2016; Punch, 4 July 2017; Punch 26 December 2019; Fadeyi 2020). Therefore, their ability to carry out their constitutional function of overseeing the executive arm of government is weakened by the fact that they lack true independence as an organ of government (Fadeyi 2020).

The poor infrastructural development in Imo State has been a cause for major concern as it has resulted to a lot of crises ranging from economic to social crises and other forms of crises and agitations across the State which has ultimately resulted to unemployment, hunger and poverty. Most school of thoughts has fingered the State's legislative arm of government for not living up to their responsibilities by holding the Executive accountable through her oversight mandate. The present House was inaugurated in June 11, 2019 with Rt. Hon. Collins Chiji as the helmsman. After the election of principal officers, other vital positions fixed were the Chairmen of the Standing Committees, respectively. Each of them was allotted one or more positions and membership of other committees. The reason was to ensure that the legislative arm of government in the State oversees or checkmates the activities of government ministries, agencies, parastatals, and MDAs. A pertinent question therefore now, is how well they have fared with their oversight functions? Recently, there has been an outcry on epileptic power supply, zero provision of social amenities by government agencies and alleged harassment by ENTRACO, OCDA and ministry officials visit of the masses. Also, the decay in the sports sector with structures at the Dan Anyiam Stadium as a case study, infrastructure neglect and poor road networks are areas the lawmakers were expected to have delved into. But, from observations, the reverse is the case. Other vital sectors, the Imo State House of Assembly were expected to have monitored their operations under oversight functions, include the Board of Imo Internally Revenue Service, IIRS, education, health,

sanitation, to mention but a few. After three years of legislative activity, nothing has been heard about their activity in these areas considering the existence of Standing Committees meant to cover these critical sectors. It was disheartening to uncover many abnormalities when the lawmakers during oversight visited the Dan Anyiam Stadium, Owerri. (Imo Trumpeta, 23 July, 2020)

Imo state has been a cynosure of all eyes in recent years following the political gimmicks and legal tussles that led to the state joining the off-circle election league. It is against this backdrop, that this study examines legislative oversight functions in Imo State, evaluate the challenges associated with performing legislative oversight in the Imo State House of Assembly.

1.3. Key research questions

The study would address the following questions:

- (i) How effective are the oversight functions by selected Committees of the Imo State House of Assembly?
- (ii) What are the factors influencing the discharge of the oversight mandate by the Committees of the Imo State House of Assembly?

1.4. Research objectives

Broadly, this study would examine the performance of oversight by the Imo State House of Assembly. Specifically, the study would:

- (i) Evaluate the performance of oversight functions by selected Committees of the Imo State House of Assembly.
- (ii) Identify factors influencing the discharge of the oversight mandate by the Committees of the Imo State House of Assembly.

1.5. Scope of the study

The geographical delimitation of this study is the Imo State House of Assembly, Owerri, Imo State. The choice of the Imo State House of Assembly is because of its prime place in the governance process. Also, seeing that data may become superfluous from analyzing the oversight activities of all Committees in the Imo State House of Assembly, the study would further be delimited to the activities of the selected Committees of the House of Assembly because of the place of legislative committees as the engine room of legislatures in modern democracies. Thus, the time scope of the study was the period between 2015-2019 given its historical benefit as well as the record keeping culture in state assemblies with its relatively low institutional memory.

The study area is the Imo State House of Assembly, Owerri. The Imo State House of Assembly is the unicameral legislative body of the state government. It was established in 1979 by part II, Section 84 of the 1999 Constitution of the Federal Republic of Nigeria as altered, which states “there shall be a House of Assembly for each of the States of the Federation”. Led by its speaker-Mr. Kennedy Ibe, the House of Assembly consists of 27 members, each elected to four-year terms in single-member constituencies. Its primary responsibility is to create laws for the peace, order, and effective government of Imo State. The choice of Imo State House of Assembly was because of the lack of literature on the efficiency of legislative oversight.

1.6. Significance of the study

Legislative oversight remains one of the main functions of the legislature, however, the effectiveness of parliament in discharging this all-important function has been a source of concern as governments run with little or no regard for accountability. This is so because the legislature is seen not to be doing enough to the executive in check and to increase accountability in governance.

This study is significant at this point in time considering the increasing need for efficiency and accountability in the use of public resources especially in Imo state as a result of the trend of events in the state where government transited from one party to the other within a very short period of time. Despite the fact that a lot of studies have been conducted on the legislature and oversight functions in Nigeria, little have been done on Imo State. This study therefore is needed to find out how far the Imo State House of Assembly has fared in discharge of its oversight functions in the fourth Republic.

Also, by means of examining the deficiencies in the discharge of the oversight mandate by the Committees of the Imo State House of Assembly and the solutions it recommends, this study fills an important gap in literature on the subject of study.

1.7. Organization of the Study

The study would be organized into five chapters as follows:

Chapter one has the background to the study followed by a statement of the study problem, the objectives of the study, and the research questions. Other components of the chapter include the scope, significance, limitations to the methodology, and organization of the study. Chapter two reviews literature relevant to the variables being studied as well as a theoretical framework which served as a framework of analysis for this study.

Chapter three discusses the research methodology ranging from the research design, research instrument, sources of data, and the method of data analysis. Chapter four analyzes and presents data. Chapter five summarizes the study, concludes, and makes recommendations based on the findings in chapter four. It would also provide a specific contribution to the body of knowledge and suggestion for further study.

1.8 Limitation of the Study

There are some limitations encountered by the researcher while conducting this research work.

- i) Bureaucratic problems associated with obtaining information from the state house of Assembly, ministries and institutions of higher learning etc, have some limitation effects on the research.
- ii) Financial constraint was also a limitation to this study. there was not enough fund to run more expensive and intensive research.
- iii) Three (3)out of the six (6) could not be conduct as a result of time limitation and difficulties associated with securing appointments with intended lawmakers.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter focused on the different kinds of literature on the subject of the study. The thematic approach is then adopted to discuss the various aspects of the study.

2.1. Conceptual Review

2.2. Legislature

The term legislature is applied differently in different countries around the world. In the United Kingdom, it is referred to as "Parliament," in Nigeria, it is referred to as "National Assembly," in the United States, it is referred to as "Congress," and so on (Lafenwa, 2009; Odalonu, 2020). However, Yusuf (2020) and Lafenwa (2009) noted that there is no serious debate about its meaning thus, point to the acceptability of its roles in any democratic system. The legislature is seen as playing a pivotal role in any government and as the people-oriented branch of government tasked with expressing and articulating the collective will of the people in the machinery of government (Okoosi-Simbine, 2010; Osunkoya and Basiru, 2019; Odalonu, 2020). This organ of the government is seen as the forum of electorates' representation (Taiwo and Fajingbesi, 2004; Gabela, Inderpal and Karodia, 2015).

Awotokun (1998) and Odalonu, (2020) conceptualized the legislature as the branch of government which is a body of people whose duties include making laws, controlling executive activities, and protecting the interests of the people. Also, Anyaegbunam (2000) argues that the legislature has a vital role in making laws, revising, amending, and repealing laws that promote the well-being of the citizenry. The legislature according to Yusuf (2019), is an official body that is chosen by voters and has the power to make laws. To Okoosi-Simbine (2010), the legislature as the law-making, premeditated, and policy swaying body working for the continuance of a politically democratic

system. Okoosi-Simbine describes the legislature as the realm of representation and the only expression of the people's will. The people's authority to the legislature is derived from them and should be exercised according to their will. Bogdanor (1991) argued that the authority of the parliament is derived from a claim made by its members that they are representatives of the political community. Supporting Bogdanor's position, Ekor, Katz and Ola (2014) described the legislature as a symbol of power and legitimacy, as it is decided by the people who have the confidence of the electorate.

Jewell (1997) recognizes two characteristics that differentiate the legislature from other branches of government where the first feature is that the legislature enjoys recognized authority to make laws, and secondly, the members are elected normally to represent several elements in the population. Therefore, Davies (2004) avows that a healthy, lively, and credible legislature exists where there is representative liberal democracy. The establishment of the legislature is premised on the assumption that the people still have political power and that they can still delegate it to elected representatives. As a result, Okoosi-Simbine (2010) believed that the legislature is the people's representative and that it has a vital role in the governing process. The concept of the legislature is that it is composed of people who are elected to represent the citizens and as such Awotokun (1998) noted that its members act as intermediaries between the government and the citizens.

Given the above, Poteete (2010) and Osunkoya and Basiru (2019) alluded that the legislature and its strength have been recognized among the strongest forecasters of a country's democratic survival and development. Consequently, the legislature is the fundamental component of democracy and as such the existence of any country's democracy is in doubt without a lively and healthy legislature (Taiwo and Fajingbesi, 2004). Frequently, scholars note that the distinguishing

feature between democratic and autocratic governments is the presence of the legislative assembly. Therefore, Edosa and Azelama (1995) concluded that the nature of legislature adopted by a country determines whether such country operates a democratic political system or not. The legislature is the pivot of democracy. Its centrality to the system is perhaps captured by Awotokun (1998) when he argued that the legislature is the key to modern democracy. Accordingly, Okoosi-Simbine (2010) alluded that legislature varies in their design, structure, procedure, selection process, size tenure of office, and frequency and nature of meetings. The concept of the variation is based on the theories of government and the character of the regime. It is also linked to the various traditions and the nature of society (Ehigiamusoe and Umar, 2013). It is observed that the modern legislative procedures derived from British procedures serve as a model for developing similar procedures in other countries.

The emergence of the legislature can be traced to the need for executive advisory bodies (Edosa and Azelama, 1995; Osunkoya and Basiru, 2019). The concept of advisory councils dates back to ancient times. They were established to advise rulers. Implicitly, rulers surrounded themselves with advisers to perform their duties effectively. Concluding, Edosa and Azelama (1995) noted the implication of the use of advisory bodies by rulers as it allows such rulers to exert their power in ways that they believe are beneficial for the community. Osunkoya and Basiru (2019) opined that the ideal team of advisers could be composed of elders who are experts in their chosen field. These individuals could be chosen from a list of individuals who usually respected them. Osunkoya and Basiru (2019) further posit that rulers usually chose members of advisory councils based on their discretion. They pointed out that the ruler's characteristics and the peculiarity of the society affected the relationship between the advisory council and the sovereign.

Nevertheless, Edosa and Azelama (1995) argued that the colonial rule of African kingdoms distorted the development of the indigenous legislature where rulers relied on advisory councils.

Scholars have identified two main designs of the legislature, namely: bicameral and unicameral legislatures. Bicameral legislatures have two chambers while the unicameral legislature has one chamber. Heywood (2007), however, noted that Yugoslavia tried to create a five-chamber legislative assembly with South Africa's three-chamber legislative assembly in 1988 and 1994. In a bicameral type of arrangement two legislative chambers exist in a country; one chamber seems to dominate the other. For instance, in Nigeria, the Constitution requires the Senate to confirm executive nominees into the Federal Cabinet (See Section 147 [2] of the 1999 Constitution). Bicameralism in its purest form is designed to manage the various functions of the legislative chambers as well as ensure effective legislative representation. This procedure is usually carried out to protect the interests of minorities. In some countries, such as Nigeria, Great Britain, and France, etc., the use of bicameral legislative structures has been adopted as an inbuilt checks and balances system.

In a similar argument, Azelama and Edosa (1995) argued that the bicameral structure of legislative bodies is more prevalent in federal states due to the need for one house to protect the interests of minorities or regional groups in the states. Osunkoya and Basiru (2019), further buttressed this argument when they opined that bicameral legislature ensures that various interests within the state are adequately represented and protected. Thus, Egwu (2005) noted that some federal states such as Nigeria, the United States, Switzerland, Canada, Germany, and Australia have opted for bicameralism on this basis. In Nigeria, the National Assembly is composed of both the Senate (Upper House) and the House of Representatives (Lower House). Both chambers are supposed to act as checks and balances on each other. Bicameral legislature allows for more effective and

efficient management of the legislature (Osunkoya and Basiru, 2019), According to Abonyi (2006), it makes it difficult for a “*despot or demagogue*” to control the legislature. This arrangement serves as a check on the hasty passage of laws and encourages the division of labour between the houses. Overall, Okoosi-Simbine (2010) and Osunkoya and Basiru (2019), noted that the structure and operation of the legislatures vary considerably from one democracy to the other. This variation is always based on size, composition, operation, role, term of office, and internal rules.

The existence of the legislature dates back to the medieval era. It is believed that the system evolved to suit the needs of the modern political system (Loewenberg, as cited in Ewuim, Nnamani and Ebrinwa, 2014). Therefore, Ewuim et al noted that legislatures serve as an essential component of a democratic government and a major factor in its sustenance. On this note, Yaqub (2004) concluded that the legislature is the vehicle for equal and wider representation if democracy is a system anchored on the informed and active participation of the people which may have prompted the opening remark in most democratic constitutions around the world. For instance, the opening remark in Nigeria’s constitution is “We the people of the Federal Republic of Nigeria.”

According to Fashagba (2009), the roles of representation, law-making, and oversight of the administration is often ascribed to the legislatures in modern democracies. To Oyewo (as cited in Arowolo, 2010), oversight serves several purposes that include keeping the executive establishment responsible and accountable, promoting rationality and efficiency in the formulation and administration of public policy, etc. hence, the necessity for the performance of oversight functions of the legislature as an essential legislative role in the practice of separation of powers against the backdrop of the absence of effective checks and limitations on the exercise of executive powers. Therefore, oversight functions not only expose corrupt practices of the administration but

also control the excesses of the executive in governance and management of the nation's resources (Yusuf, 2020).

However, the exercise of oversight in the Imo State House of Assembly involves the responsibility of legislative committees that undertake the review, in-depth study, and evaluation of the activities of the government. These committees, draw legitimacy from Section 103 (1) of the CFRN 1999 (as altered) with clearly defined mandate and functions in the standing orders of the State Assembly. Despite the constitutional backing, the legislative literature is replete with constraints in the performance of oversight by committees. For example, Fashagba (2009) and Odalonu (2020) in their different articles listed inadequate funding, lack of cooperation from Ministries, Departments, and Agencies (MDAs), among others, as challenges militating against the effectiveness of legislative committees. These challenges notwithstanding, legislative committees remain a critical success factor to the performance of legislatures. Given this, this study evaluated the performance of oversight by Committees of the Imo State House of Assembly.

2.2.1. Legislative Oversight

Youth Initiative for Advocacy, Growth and Advancement [YIAGA] Africa (2019) alludes that the concept of legislative oversight is essential to the promotion and sustenance of democracy, democratic institutions, good governance, and accountability. If this role is played effectively, the legislature would have contributed immensely to the strengthening of state institutions, state capacity, accountability, and responsive governance. Legislative oversight which is rooted in the theory of Separation of Powers first developed in ancient Greece (Omeje, 2015), ensures that the body which administers does not adjudicate or legislate. This means that no one arm of government (legislature, executive, and judiciary) should have controlling power over another (Dan-Azumi, 2019). The term oversight resonated most prominently with Woodrow Wilson who defined it as

the duty of a representative body to investigate the affairs of government and to talk much about what it sees (Policy and Legal Advocacy Center [PLAC], 2016). Thus, legislative oversight is a tool used by the legislative to perform its role of checks and balances in a democracy and involves keeping an eye on the activities of government Ministries, Departments, and Agencies (MDAs) with the sole aim of informing the public as well as correcting ills in governance.

According to the Policy and Legal Advocacy Center [PLAC] (2016), legislative oversight refers to the legislature's review and evaluation of selected activities of the executive branch of government. After legislation, the main role of the legislature is to see whether laws are effectively implemented based on legislative intent. To this end, PLAC alluded that oversight, as an institutional mechanism demonstrates the behaviour by legislators and their staff, individually or collectively, which results in an impact, intended or not, on bureaucratic behavior (Osunkoya and Basiru, 2019). The description of oversight offered by PLAC agrees with those put forward by Oyewo (2007) and Madue (2012). To Oyewo (2007), legislative oversight is "the exercise of constitutional powers by the legislature to check or control the exercise of constitutional powers of other arms of government and more specifically to check or control the exercise of executive powers or to make the executive accountable and responsible to the electorate". This definition reechoes the description of the Nigerian Statehood which is a constitutional democracy. Nevertheless, before a venture into the constitutionality or otherwise of oversight, the definition of oversight by Madue (2012) is worthy of note. Osunkoya and Basiru (2019) alluded that "oversight entails the informal and formal watchful, strategic and structured scrutiny exercised by legislatures in respect of the implementation of laws, the application of the budget, the strict observance of the statute and the constitution. Also, the House of Representatives Oversight Manual (2017) saw legislative oversight as the review, monitoring, and supervision of the work of

government, including the implementation by the government of promulgated laws, and comparing performances of and between government agencies in executing legislative mandates. Thus, oversight can be performed ex-ante-(before/during) the design and implementation of a government-sponsored programme or policy as well as ex-post-(after) its implementation (Pelizzo and Stapenhurst, 2007; Abiola, 2018).

Legislative oversight is the power of the legislature to review, monitor, and supervise government agencies' programmes, activities, and policy implementation strategies. The purpose of this is to ensure that the executive MDAs sustain the principles of good governance through the committee system, which was discussed in a later section. Since it is obvious that there are set of rules or powers guiding the conduct of oversight, it has become imperative to state that the Constitution of the Federal Republic of Nigeria [CFRN] 1999 (as amended) empowers the legislature (Imo State House of Assembly) to hold the executive accountable. Explicitly, Section 4 (6) of the Constitution vests it with the legislative powers of a State of the Federation to: “make laws for the peace, order and good government of the State or any part thereof”. Notably, the Constitution sets out some basic oversight powers through which the parliament could apply accountability in government. Section 120 (1) of the Constitution specifies the establishment of the Consolidated Revenue Fund of the State (CRFS) where the government deposits “All revenues or other moneys raised or received by a State... shall be paid into and form one Consolidated Revenue Fund of the State” from which the government is expected to fund all the fiscal policies and projects. Nevertheless, any withdrawal from the CRFS by the executive requires legislative approval in line with Section 120 (4) of the Constitution. In other words, the executive arm could only implement policies according to the approved guidelines, rules, and projects in the Appropriation Act which is prescribed by the State House of Assembly and assented to by the Governor.

Besides, the Constitution also empowers the legislature to monitor the execution of fiscal policies through different mechanisms. First, Section 125 (1) of the Constitution establishes the Office of the Auditor-General of the State majorly to audit the accounts of the government and submit its report to the legislature for consideration. Second, the power vested on the Imo State House of Assembly is to investigate allegations of malfeasances of government officials Section 128 (1)(a)(b) of the Constitution. It is a crucial accountability measure available to the Imo State House of Assembly to evaluate as much as review the activities of the executive to ensure the transparent execution of public policies. Indeed, exposing corruption and other inefficiencies in the execution of public policy are necessary to realize these with the objectives of harnessing the resources for the promotion of public goals (Jombo and Fagbadebo, 2018). Thus, the core of legislative oversight over executive activities to promote good governance. However, inherent in this investigative power is the Constitutional responsibility of the legislature to enforce accountability and punish any infraction.

Visibly, legislative oversight embodies a lot of gains. To illustrate, the Commonwealth Parliamentary Association (CPA) (as cited in the Policy and Legal Advocacy Center [PLAC], 2016) asserted that the principle behind legislative oversight is to ensure that public policy is administered following legislative intent. According to PLAC (2016), legislative oversight is a strong weapon used by the legislative in checking executive tendency towards dictatorship, hence the concurrent need for the legislature to oversee the affairs of government especially the executive, and consequently, hold the government responsible for its actions or inactions. Going further, PLAC alluded that legislative oversight seeks to protect the rights and liberties of citizens by curbing the excesses of the government as well as determining the extent of compliance with Constitutional statutes and legislative directives. In the same vein, Dan-Azumi (2019) observed

that the major objective of legislative oversight is that it plays an important role in promoting transparency and accountability in governance. As representatives of the people, parliament deploys oversight instruments to hold the government accountable. On this note, it can determine the impact of policies, programmes, laws on the society and life of the people to create opportunities for further legislative intervention if necessary. The detection of waste within the machinery of government and public agencies (as expressed in Section 128 (2)(b) of the CFRN 1999 [as altered]), improves efficiency and the effectiveness of government operations by making the government accountable to people. Therefore, the impact of effective oversight in a democracy cannot be overstated as it is capable of encouraging international collaborations in various spheres for developing countries.

Legislative oversight is central to accountability in every democracy. Barkan (2010) laid credence to this when he asserted that oversight is a democratic tool that ‘ensures both vertical accountability of rulers to the governed as well as the horizontal accountability of all other government agencies to the legislature’. The concept of legislative oversight has been subjected to variegated definitions and understandings as there are variegated schools of thought in the field of political science.

Oversight owes its origin to Woodrow Wilson who coined the concept and described it as the “duty of a representative body to look diligently into affairs of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the will and wisdom of its constituents” (See Hamalai, 2015). Similarly, Madue (2012) noted that oversight is “the review, monitoring and supervision of government and public agencies, including the implementation of policy and legislation”. A more comprehensive definition is captured in Oyewo (2007) as “the exercise of constitutional powers by the legislature to check or control the exercise of constitutional powers of other arms of government, and more specifically to check or control the

exercise of executive powers or to make the executive accountable and responsible to the electorates”. Oversight can be performed *ex ante* (during design and implementation of policy/programme) and *ex post* (after implementation – evaluation stage) (Yusuf, 2020).

According to the International Parliamentary Union (IPU), it is the review, monitoring and supervision of government and public agencies, including the implementation of policy and legislation. While Pelizzo and Stapenhurst (2014) opined that it is the obvious follow-on activity linked to lawmaking. However, according to Pelizzo et al, (2006) oversight is not just a supervision of what the executive branch of government has done but is also supervision of the executive’s legislative proposals such as executive bills and appropriation bills. According to Abiola et al (2014), legislative oversight covers three different but coordinate phases. These phases include: policy, programme and project.

Legislative oversight is carried out with the following objectives as advanced in Hamalai (2015) and James (2002):

- i. Ensure transparency and openness of executive activities.
- ii. Hold the executive arm of government accountable.
- iii. Guarantee financial probity and accountability in governance.
- iv. Uphold the rule of law.
- v. Ensure executive compliance with legislative intents
- vi. Evaluate programme performance.
- vii. Investigate instances of alleged poor administration, arbitrary and capricious behavior abuse, waste, dishonesty and fraud within government institutions.
- viii. Protect rights and liberty of citizens.

Legislative oversight function can also be referred to as scrutiny (Heywood, 2007). Cosmeus (2016), opined that the primary role of every parliament is that they are responsible for holding governments accountable in their decisions and they scrutinize the government in their actions. Lately, the lawmakers have become progressively a scrutinizing institution of the executive in a bid to engender responsible and accountable government (Nwogwugwu and Ishola, 2019). Oversight functions take many forms; however, the commonest form is the annual (as obtained in the United States) congressional hearings where agencies are required to defend their budget estimates and justify their actions to the conviction of the Congress (Shafritz, Russell and Borick, 2016). In other cases, in the US, subpoena power is used to summon reluctant MDAs or officials (Nwogwugwu and Ishola, 2019). Legislators derive their legislative oversight function from the constitution in most democracies and this legal backing enables parliaments to monitor the activities of the executive branch and its agencies to determine if public policies, projects or programmes are being adequately executed in the interest of the public (Nwogwugwu and Ishola, 2019). In other words, the oversight function of the legislature connotes making sure that laws, legislation and government policies are implemented effectively (Saiegh, 2014).

By monitoring, reviewing and investigating activities, programmes and projects of government, the parliament ensures that the actions taken are transparent, accountable, consistent and in accordance with the original objective and in line with the provisions of the constitution (Nwogwugwu and Ishola, 2019). Legislators have the legal backing, authority and responsibility to hold governments to task on their stewardship in public offices (Frolick, 2016). According to Ojo and Omotola (2014) lawmakers oversight ministries, departments and agencies of government to ensure that they are accountable to the public in all their activities. The oversight powers of the legislature do not end with holding the executive accountable in their functions, it extends to

approval or confirmation of appointments made by the executive and judiciary arms of government. Some of these executive and judicial appointments include ministers, board chairmen, ambassadors, Chief Justice of the federation, federal commissions and councils, justices of the supreme courts and the chief judge of the Federal High Court (Nwogwugwu and Ishola, 2019). According to Nwogwugwu and Ishola (2019), lawmakers make sure that funds appropriated for government institutions are spent for the purpose they were allocated for to ensure that citizens enjoy optimal benefits from such projects or programmes.

The powers of lawmakers to appropriate public funds is actually the basis for public budgeting and accountability. The constitutional power of appropriation has bequeathed to the legislature enormous influence to amend appropriation bills by allocating, reducing or increasing funds among competing priorities. The form or type of democratic government in place in a country determines the influence of legislators in budgeting. For instance, in the United Kingdom's parliamentary system, the prime minister and other senior ministers are regularly cross examined especially when there is mismanagement in the federation's finances (Nwogwuwgu and Ishola; Heywood, 2007). Conversely, in the presidential systems, the legislative oversight function is normally a routine of checks and balances which is part of separation of powers in a presidential system such as it is the case in US Congress and Nigeria's National Assembly (Pelizzo and Stapenhurst, 2004). It may be politically difficult for legislative committee to question ministers as it is done in presidential system since they are also members of parliament under parliamentary system of government. Therefore, a regularly scheduled question and answer session are created to serve the purpose by allowing opposition members to question the ministers, challenge the decisions of government on policies and programmes in a parliamentary system (Nwogwugwu and Ishiola, 2019). However, the oversight mandate of the legislators forms a fundamental part of

modern democracy regardless of the system of government (Ewuim, Nnamani and Eberinwa, 2014). The parliaments play active role in helping the public to understand and monitor the performance of the MDAs regularly (Ewuim, Nnamani and Eberinwa, 2014).

The rationale behind legislative oversight function is to ensure that public policy, programmes and projects are implemented or executed in accordance with their original objectives and in compliance with constitutional provisions. This means that legislative oversight function encompasses watching and controlling the actions and inactions of government through summons, debates, questioning of representatives of MDAs. Lawmakers also oversight their leaders by conducting investigation of committees and when needed impeach presiding officers whose activities are perceived to run counter to democratic performance (Nwogwugwu and Ishola, 2019). For instance, Section (1) (a-b) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) captures that each House of the National Assembly shall have power to direct or cause to be directed an investigation into any matter or thing with respect to which it has the power to make laws and the conduct of affairs of any person, authority, ministry or government department charged or intended to be charged, with the duty of or responsibility for executing or administering laws enacted by the National Assembly. According to Agba, Chukwurah and Achimugu (2014) this constitutional provision serves the purpose of exposing corruption, inefficiency or wastages in the execution of public programmes and projects as well as in the implementation public policies.

The essence of oversight function is to ensure that the policies, project and programmes of government reflect the needs of the people. Therefore, the legislature should not just perform this all-important function but should also be seen to be performing the role to the benefit of the greater

majority of citizens of the affected country. Malapane (2016) outlined the purposes of the oversight functions by the legislature to include:

- a. it is to improve the efficiency, economy and effectiveness of government operations; to evaluate programmes and performance;
- b. to investigate and prevent poor administration, to avoid waste, abuse of power, arbitrary and illegal and unconstitutional conduct,
- c. to protect civil liberties and constitutional rights and lastly to inform the general public and ensure that executive policies reflect public interest.

The legislative oversight mandate of the legislature covers policy, budget, security issues, and procurement of defense equipment, investigating the activities of the armed forces and the deployment of the military in a state of emergency (Nwogwugwu and Ishola, 2019). However, political system, constitutional and legal framework reduces the influence of the legislature in over-sighting the executive in formulating and implementing policies in the society. Nwagwu (2014) opined that the oversight function has been compromised by several lawmakers (especially in young democracies such as Nigeria) in quest for personal gains. Legislative oversight according to Nwogwugwu and Ishola (2019) is been used in most country by legislators as an instrument to witch hunt and blackmail political opponents rather than being used is to checkmate the excesses of the executive arm of government in order to check corruption, inefficiency and waste of public funds by MDAs.

2.2.2. Types, Forms of Oversight Powers and Procedure for Legislative Oversight

This sub-section reviews the classification of oversight, forms of constitutional powers and procedure for conduct of oversight functions. To carry out its functions effectively, the members of the legislature are usually divided into Standing or ad hoc Committees. Section 62 of the 1999

Constitution (as altered) empowers the National Assembly to create Committees as may seem appropriate to them while section 103 empowers the state house of assembly to do the same. However, they are not empowered to directly delegate the power of legislation to these Committees. Section 62(4) of the 1999 Constitution (as amended) which provides that: Nothing in this section shall be construed as authorizing such House to delegate to a committee the power to decide whether a bill shall be passed into law or to determine any matter which it is empowered to determine by resolution under the provisions of this Constitution, but the committee may be authorized to make recommendations to the House on any such matter. In Section 103(3) State House of Assemblies are also saddled with similar powers.

The purpose of legislative committees is to facilitate the carrying out of oversight functions of the legislature; the purpose of oversight functions being to ensure that Acts of the National Assembly are well implemented, including the Appropriation Act. This is in addition to several other duties of legislative committees.

Types of Oversight

Broadly speaking, oversight may be classified into two:

- i. “political” oversight which takes place during question time or when the actions of government are scrutinized during public sittings; and
- ii. “technical” oversight, which requires more attention of committees to establish facts and evidence to guide informed legislative decisions in a speedy and more efficient manner than could be possible at plenary sittings.

In a more specific sense, this classification includes:

- **Routine oversight:**

This is the regular oversight carried out by a legislative House either through committees or plenary. To ensure compliance with laws in conducting governmental activities by ministries, departments and agencies (MDAs), routine oversight is carried out by committees within their jurisdiction as provided in the Standing orders. It includes the regular visits to MDAs, screening and confirmation of executive nominations, committee hearings and inquiries or any informal meetings between members of parliament (MPs) and the executive in furtherance of a public concern.

- **Appropriation Oversight:**

This relates to power of the legislature to consider, scrutinize and approve the budget. This form of oversight enjoys both constitutional and statutory flavor. The committee on Appropriation is usually the lead committee while other standing committees become sub – committees for the purpose of consideration of the Appropriation Bill. This is one of the most important forms of oversight as it empowers legislative committees to subject estimates of MDAs to critical scrutiny to facilitate further consideration and approval of the Appropriation Bill. This form is conducted at the time of enacting the law which gives committees the opportunity of checking excesses and abuse through misallocation of funds. It is also conducted during the implementation phase of the budget cycle. The success of a budget depends to a great extent on ability of a legislature to carry out oversight effectively. In particular, the legislature will be expected to ensure:

- Timely submission of the Appropriation Bill to the legislature. This however depends on the timeline for submission / presentation provided by the Constitution. This area is one of the challenges that affects the timeliness of approval and extends also to affect implementation and outcome;
- Diligent and meticulous scrutiny;
- Compliance with rules of practice and procedure in the conduct of budget defence and other components of the consideration process;
- Timely and comprehensive reporting to the Appropriation committee and committee of supply or committee of ways and means depending on jurisdiction;
- Utilization of relevant apparatus such as Public Account Committee (PAC) reports in scrutinizing estimates timely;
- Effective and efficient oversight to monitor implementation; and,
- Timely and comprehensive submission of oversight reports.

- **Investigative Oversight**

Under this classification, the legislature is empowered to conduct investigation into activities of government agencies either at plenary, or through standing or ad-hoc committees, depending on the resolution of the legislative House. Section 88 (1) and (2) of the 1999 Constitution (as amended) provides the scope and rationale of this form of oversight.

For the purpose of clarity, the following factors must be taken into consideration by a legislative House or committee in exercise of its powers under this classification:

- i. The subject matter of oversight must be within the jurisdiction of the legislative house, under Section 4, 58, 59 and 100 of the 1999 Constitution (as amended)

- ii. The focus of investigation by a legislative committee must be on conduct of affairs of any person or authority charged with the responsibility to execute or administer law and disbursing or administering moneys appropriated by the legislature.
- iii. The philosophy of investigative oversight is to enable the legislature:
 - a. Make laws on any matter within its legislative competence or correct defects in existing laws
 - b. Expose corruption, inefficiency or waste in public expenditure management.

- **Public Accounts Committee Oversight**

Public Accounts Committee is both a standing and special committee in both the Senate and the House of Representatives. Its specialty originated from its being the only committee mentioned under Section 85 (5) of the 1999 Constitution (as amended) and recognized as a special committee in the Standing Orders of the two chambers of the National Assembly. Unlike other committees whose jurisdictions are limited to specific subjects and jurisdictions, the Public Accounts Committee is vested with broad jurisdiction of examining the Auditor General's Report of audited accounts of MDAs in the federation under Section 85 (2) – (5) of the 1999 Constitution (as amended). In the exercise of its oversight powers pursuant to Section 85 (5) of the 1999 Constitution (as amended), the committee is obliged, subject to the provisions of the Standing Orders of the Senate or House of Representatives to:

- Subject the report to critical scrutiny to identify issues and queries against Communicate such queries and demand response from the affected MDAs within a particular time frame;
- Invite MDAs whose responses require further clarification to the Committee, including those who did not respond at all or whose responses were either inadequate, contentious or unsubstantiated by documentary evidence. The Committee will engage MDAs in

interactive session to verify, ascertain or establish unresolved issues in responses by the affected MDAs; and,

- Report the outcome of committees' findings to the plenary to validate and approve through resolutions, the recommendations contained in the report

2.3. Legislative Oversight Tools

There is an array of tools at the disposal of legislatures for conducting oversight. The most common tools include questions to ministers (oral and written). Hamalai (2014) and Omotoso and Oladeji (2019) advanced several tools for the conduct of legislative oversight. Some of them are described below:

Hearings either in plenary or committee meetings are a primary tool of parliaments for obtaining information related to specific policies or issues. Nearly all parliaments conduct hearings. However, parliaments have varying capacities to compel individuals to give testimony. In Nigeria, sections 88 and 89 of the constitution are clear on the powers of the houses to conduct investigations into subjects of concern and the procurement of evidence for such purpose.

Interpellation refers to a formal procedure employed by parliaments to require the justification of a certain policy by an individual member of government or, in some countries, the government in full. Omotoso and Oladeji (2019) posited that it can give way to broad debates on the policy at hand or lead to a vote approving or disapproving the issue discussed. This may be followed by a vote of no confidence (Vanguard Nigeria, 2020, January 30th). Interpellation is common in parliamentary jurisdictions.

Parliamentary questions are the most commonly used oversight tool. Questions are intended to clarify or discuss government policies and may lead to interpellation, where the rules permit if the

answer is not satisfactory. To properly monitor the executive, members of parliament need to be properly informed of the policies of the executive and its ministries. Government responses to parliamentary questions may lead to the publication of valuable information. Questions can often be asked in oral or written form, although oral question and answer sessions may provide a dramatic atmosphere and opportunity for response and follow-up by either side. To illustrate, the invitation to the service chiefs to address the raging insecurity is worthy of mention (This Day Live, 2021, April 27th). Consequently, the organization of these sessions is essential to effective parliamentary oversight.

Committees of inquiry are usually ad-hoc parliamentary committees or commissions formed to carry out in-depth investigations on specific issues of public importance. These commissions usually benefit from a greater degree of access to information than normal committees. Their powers may include summoning witnesses to testify under oath, confronting one witness with another, requesting or seizing documents, organizing field visits, and more. These commissions may possess the same powers as a magistrate making a judicial inquiry (the Legislative Houses (Powers and Privileges) Act 2017). Committees of inquiry are a commonly used oversight instrument in parliaments around the world and may be used to investigate important cases of corruption or abuse of power.

Budget oversight is a means used by parliaments to ensure financial accountability. After the budget has been passed, the parliament has an important role to play in monitoring how the budget funds are spent. This work is usually done by can by its committees. Such scrutiny is done in cooperation with a state auditing institution i.e., the Auditor-General of the State (see section 120 [3] of the 1999 Constitution as altered).

Supreme Audit Institutions (SAIs), such as the auditor general (in Commonwealth countries), or Cours des Comptes (in Francophone countries) facilitate budget oversight by playing a “watchdog” role and reporting its findings either publicly or directly to parliament. In Nigeria, section 125 (2) provides that the auditor-general of a State shall submit the report of the audited public accounts of the Federation to the Imo State House of Assembly. Explicitly, the auditor- general monitors how the government uses the public purse and informs the parliament of its observations. As also the case in Commonwealth countries, the auditor general reports to the Public Accounts Committees (PACs) of the Imo State House of Assembly, which scrutinizes such queries and makes recommendations accordingly (Section 125 [2] of the 1999 Constitution of Nigeria as altered).

An ombudsman, in some countries, is appointed by parliament to conduct investigations of public authorities based on complaints or requests by the parliament. An ombudsman typically scrutinizes whether the workings of the administration or the offending actions are following the principles of good governance. As such, they play an important role in examining government transparency and openness. An ombudsman tries to find practical solutions to the problems they are tasked with and assumes a role of conciliation between the public and the authorities. In Nigeria, the Public Complaints Commission (PCC) provides an example of an ombudsman. In this case, the PCC is a creation of the Imo State House of Assembly through the Public Complaints Commission Act 1975.

2.4. Committee System

The Fourth Republic was ushered in by the Constitution of the Federal Republic of Nigeria, 1999 (as altered). Since the inception of Nigeria’s recent democratic experiment, different legislative

assemblies have constituted different Committees. Section 103 (1) of the Constitution empowers State Houses of Assembly, to establish different Committees to facilitate their legislative mandates. Also, the Standing Orders of the House of Assembly provide for the number of parliamentary Committees, which shall be created (Section 103 (2)). Such Committees are referred to as standing committees and perform specific supervisory functions that reflect designated government Ministries, Departments, and Agencies (MDAs) as presented in the Standing Orders of the respective legislative houses. The Standing Orders also allow the respective Houses to create special-purpose (ad-hoc) Committees to handle assigned legislative tasks which are referred to them oftentimes with specific terms of reference. Such ad-hoc or one-time purpose Committees are usually dissolved at the end of their assignments. Noteworthy is the fact that the Imo State House of Assembly has the constitutional power to regulate its procedure (Section 101). Accordingly, the Imo State House of Assembly is empowered to increase the number of Standing Committees as the need arises which is done by a resolution of the House. These committees according to scholars of legislative studies, represents the smallest unit of organization within a legislative assembly.

To the Legislative Research Council [LRC] (2018), the subunits referred to as committees, play a primary role in examining bills assigned to them, and making recommendations if those bills should become law in the legislative process. Hence, Ojogwu and Ashiekaa (2011) noted that legislative committees are small groups or sub-division of legislators assigned on a temporary or permanent basis during the lifespan of a parliament to examine matters more closely than could be done in the plenary. Similarly, Dan-Azumi (2015) described committees as the sub-division of the House established to aid the parent body in the preparation and detailed examination of draft laws or other matters for consideration by the Assembly. Given this, Dan-Azumi concluded that a

committee is an essential element in the organization of a legislative House, hence, his earlier argument that almost all legislatures depend on committees to conduct their businesses. Dan-Azumi's position was echoed by Abiola (2018) as he noted the functions of legislative committees to include that it allows the parliament to perform; several functions simultaneously, detailed investigation and discussions, in-depth review of policy matters or bills, etc. The above description of legislative committees may have prompted by Woodrow Wilson's assertion that "Congress in session is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work" (Woodrow, 1885). While it must be stated that plenary or regular sittings of the Legislature-Imo State House of Assembly, is not futile as it serves as the forum for the debate/endorsement of committee recommendations, committees, however, encapsulate a miniaturized legislature in description with a sector-specific decentralized mode of operation that further enhances its contribution to the effectiveness of the parent House. The role of legislative committees varies between jurisdictions but is often determined by the governing system, the organization, and the strength of political parties, etc. within those places (Abiola, 2018). Regardless of jurisdiction, a seeming convergence in committee characteristics is in the areas of legislation and oversight. In the same vein, the National Democratic Institute for International Affairs [NDI] (1996) notes that the number of Committees has varied from parliament to parliament. Concurring to this view, Gbahabo, Dan-Azumi, and Igbanoi (2019) observed that sometimes the number of Committees has varied within a parliament from one legislative assembly to another. Despite the avowed role of legislative Committees in monitoring and scrutinizing the activities of agencies of the executive, such oversight on the members of the legislature is absent, although this is not the focus of this study. Specifically, the Geneva Centre for the Democratic Control of Armed Forces [DCAF] (2012) averred that parliament's oversight function is more

efficiently and visibly developed at the level of committees. DCAF noted that committees' oversight activities are independent of the plenary or from the legislative schedule. To this end, Frolick and Tau (2013) posited that parliamentary committees are visibly the most powerful mechanisms to ensure that the government is always accountable. Therefore, the legislature relies on committees, referring all sorts of matters to them for consideration. For this, Frolick and Tau alluded that committees are an integral part of the work of the parliament, to which they report back on all issues referred to them, even simple requests for information. The informative role of legislative committees was reechoed by Battglini, Lai, Lim, and Wang (2018) when they observed that the informative task which legislative committees undertake, is the incentive for which they perform their functions even though there may be a conflict of interest among its members.

The committee structure of the Imo State House of Assembly is used to executive oversight functions and they see that activities of the arm of government and its MDAs are kept under constant surveillance and scrutiny by the legislative. In exercising this vital legislative function, the Imo State House of Assembly examines the extent to which the executive and the judiciary arms and their agencies in implementing policies and programmes comply with the letter and spirit of the law passed by the parliament. These include but are not limited to the consideration of assessment reports of government projects, consideration of bills relative to the Committee's jurisdiction before presentation for deliberation at plenary sessions, meeting with different MDAs on varying issues, etc. The Committee from its deliberations recommends action courses that act to strengthen the notion of legislative oversight. Strong legislative committees play a vital role in shaping government policies by scrutinizing government proposals (Fortunato, Martin, and Vanberg, 2017; Raymond and Holt 2017). Beyond this, legislative Committees provide the avenue for public participation in routine legislative deliberations and activities (Hendrick and Kay, 2017).

Besides, legislative Committees engage citizens thereby bringing the public closer to legislative activities and deliberations through the exchange of ideas and feedback on government policies. A public hearing (parliamentary procedure open to public participation as the name denotes) on proposed legislation, provides the platform for citizens' engagement in the legislative process. The outcomes of such engagement strengthen legislative monitoring and subsequent approvals or otherwise of government proposals. Truly, routine legislative oversight activities are usually the responsibility of the committees (Jombo and Fagbadebo, 2018).

2.5. Theoretical Framework

This study is guided by the institutional-functionalist theory, which enabled the contextual viewing of the legislature as an institution of government with specific functions to perform in Nigeria's political process. Functionalism or structural-functional theory, sees society as a structure with interrelated parts designed to meet the biological and social needs of the individuals in that society. Propounded by an English philosopher and biologist, Hebert Spencer (1820–1903), who in his writings saw similarities between society and the human body. Spencer argued that just as the various organs of the body work together to keep the body functioning, the various parts of society work together to keep society functioning (Agbedi et al, 2020). The parts of society that Spencer referred to were the social institutions, or patterns of beliefs and behaviors focused on meeting social needs, such as government, education, family, healthcare, religion, and the economy. Émile Durkheim, another early sociologist, applied Spencer's theory to explain how societies change and survive over time. Durkheim believed that society is a complex system of interrelated and interdependent parts that work together to maintain stability (Onwe et al, 2015), and that society is held together by shared values, languages, and symbols. He believed that to study society, a sociologist must look beyond individuals to social facts such as laws, morals, values, religious

beliefs, customs, fashion, and rituals, which all serve to govern social life. Alfred Radcliff-Brown (1881–1955) defined the function of any recurrent activity as the part it played in social life as a whole, and therefore the contribution it makes to social stability and continuity (Omotola, 2014). In a healthy society, all parts work together to maintain stability, a state called dynamic equilibrium by later sociologists such as Agbedi et al., (2020) Durkheim believed that individuals may make up society, but to study society, sociologists have to look beyond individuals to social facts. Social facts are the laws, morals, values, religious beliefs, customs, fashions, rituals, and all of the cultural rules that govern social life (Omotola, 2014). Each of these social facts serves one or more functions within a society. For example, one function of a society's laws may be to protect society from violence, while another is to punish criminal behavior, while another is to preserve public health. Another noted structural functionalist, Robert Merton (1910–2003), pointed out that social processes often have many functions. Manifest functions are the consequences of a social process that are sought or anticipated, while latent functions are the unsought consequences of a social process. A manifest function of college education, for example, includes gaining knowledge, preparing for a career, and finding a good job that utilizes that education. Latent functions of your college years include meeting new people, participating in extracurricular activities, or even finding a spouse or partner. Another latent function of education is creating a hierarchy of employment based on the level of education attained. Latent functions can be beneficial, neutral, or harmful. Social processes that have undesirable consequences for the operation of society are called dysfunctions. In education, examples of dysfunction include getting bad grades, truancy, dropping out, not graduating, and not finding suitable employment.

One criticism of the structural-functional theory is that it cannot adequately explain social change. Also problematic is the somewhat circular nature of this theory; repetitive behavior patterns are

assumed to have a function, yet we profess to know that they have a function only because they are repeated. Furthermore, dysfunctions may continue, even though they do not serve a function, which seemingly contradicts the basic premise of the theory. Many sociologists now believe that functionalism is no longer useful as a macro-level theory, but that it does serve a useful purpose in some mid-level analyses. The legislature is viewed as a critical institutional organ of government in democracies (Hague and Harrop 2004; Omotola 2014), established through constitutional provisions, with powers to make laws and stabilize political systems. The theory presupposes an understanding of a political system that requires adequate attention to the functions and performance of the existing institutions (Igwe, 2005). Thus, this study proceeds in the application of this theory by first recognizing these institutions. The assumption is the stability of the Nigerian political system is a function of the effective performance of the country's democratic institutions. The primary focus here are the legislature, executive, judiciary, political parties, and interest groups. The concern here is how institutions governing the state influence the structure the behaviour of the citizens and living conditions. Hobbes, according to Agbedi et al, (2020) argued "there was the need for stronger institutions in order to save mankind from its own worst instinct". In essence, government institutions have to be concerned with tailoring the behavioural pattern of the people toward the attainment of a better living standard alongside other benefits derivable from the functions played by the institutions. For example, the duties of the legislature are geared towards making laws that can guarantee good governance through a proper execution of laws and through oversight of implementing agencies to ensure that the purpose of governance is met through provision of social services and infrastructures.

Omotola (2014) sees the legislature as a "constitutionally designed institution for granting assent to binding measures of public policy, given on behalf of the community that extends beyond the

government elite responsible for formulating those measures”. The institutional theory or approach is adopted as the theoretical framework in this study, viewing the legislature as an institution of government with varying functions to ensure system equilibrium and good governance.

2.6. Empirical studies

To Amusa (2013) in his study aimed at locating the legislative oversight functions as a key element in promoting accountability and transparency in Africa, view through Nigeria perspective using observation, analytical, and comparative approaches revealed that since 1999, the legislative body in Nigeria has been wobbling from one sleaze to another because of misuse of oversight functions, thus undermining democratic governance. Amusa anchoring his study on the concept of separation of powers as it addresses an essential legislative role in ensuring checks and limitations on the exercise of executive powers concluded that there is the need to overhaul the democratization process in Nigeria as there is nexus between the failure of the legislature to dutifully discharge its oversight functions and inherent incapacity of those elected into office.

Similarly, Onwe, Ibeogu, and Nkwede (2015) in their research examining the strength and level of separation of powers, among the three tiers of government, the autonomy, checks, and balances among the arms, found that the legislative organ is incapacitated from carrying out effective legislation for good governance because of inadequate autonomy, the executive usurpation of legislative powers by involving in oversight function, the problem of “godfatherism” and corrupt tendencies of most members of the legislative houses. They, Onwe et al (2015) suggested that to ensure effective legislation that will bring about good governance in the polity, there should be an independent choice of candidates, free and fair election, financial autonomy of the legislature, and regular oversight function, devoid of financial and material benefits or inducement by members of the legislative arm. Fashagba's (2009) study examined the extent to which the Nigerian legislature

performed its oversight role is worthy of note. To Fashagba (2009), the oversight function is a major component of the activities of modern legislatures irrespective of the form of government in practice. It should be recalled that in previous sections, legislative oversight has been seen demonstrably, as a tool for advancing governance objectives (Osunkoya and Basiru, 2019). Fashagba in his expose, argued that the Nigerian legislature has been incapable of effectively performing its oversight role because, in addition to constraints like executive interference, crippling internal conflict, inexperience, and high rate of members' turnover hampering legislative efficiency, the legislature has compromised its role (Odalonu, 2020). This further validates an earlier assertion that while legislative oversight is directed towards ensuring executive accountability, little or no attention is paid to the accountability of the members of parliament. The situation, notwithstanding, Fashagba opined that with a reduction in the legislature's internal problem the performance of oversight would improve invariably.

In a later study, Fashagba (2009) pinpointed the role of the committee system in legislative oversight examined the extent of effectiveness of legislative committees in Nigeria focusing on the Kwara State House of Assembly. Fashagba alluded that the need for efficiency in the performance of the myriad of legislative and other related functions, with which the modern assemblies are saddled, makes the utility of the committee system indispensable to modern legislatures. Perhaps, Dan-Azumi (2019) drew scholarly insights from this position when he averred that almost all democratic legislatures depend on committees to carry out their businesses. Fashagba (2009), however, concluded that the way and extent to which the legislatures of various states participate and shape policymaking vary from state to state. This may be true as concerns continue to mount on the overbearing nature of state chief executives on the State legislatures in Nigeria. Therefore, using the committees of the Kwara State House of Assembly to serve as the

test case for the degree of efficiency in the oversight process, Fashagba discovered that legislative committees are relevant and useful as they enhance the efficiency of their parent body. This is given committees' informative role in the legislative process as proposed by Battglini, Lai, Lim, and Wang (2018) even though he alluded that legislative committees in Nigeria continue to operate under relative constraints which impedes their performance. However, since oversight is primarily to ensure good governance, no study would have been more fitting than Arowolo's (2010) study which focused on the examination of the role that oversight play towards nation-building and making recommendations on how the capacity of oversight can be strengthened. Arowolo noted that the legislative institution represents the collective interests of the citizens through the enactment of laws and the exercise of oversight on the activities of the executive arm of government. Equally important, nation-building requires building the society, economy, and polity to meet the needs of the people. As a result, in the quest for nation-building, the exercise of effective legislative oversight function remains crucial as it serves as between those in government and the governed on one hand, and accountability and good governance on the other hand. Even though the power of oversight is conferred on the Imo State House of Assembly by the Constitution (Section 88), Arowolo (2010) concluded that the legislature's capacity to carry out its oversight functions remains weak. This she argued was because legislative role and culture which is still in its infancy are confronted by many challenges such as the lack of democratic culture, constitutional history, personal ambition, interest, and agenda of legislators, corruption, adverse legislative environment, etc.

2.7 Gap in Knowledge

This study demonstrates that legislatures at subnational levels are emerging as vital players in governance, thus informing the recent comparative discourses of various academic works in legislative oversight function especially at the subnational levels. Although the obtainable studies offer insights into the structure and operation of State legislatures, most fail to delve deep into the design and utility of various legislative functions, apparatus and processes. This calls for a more focused study on the capacity of legislative committees and how they function. This review attempts to provide insights that may inform such an endeavour.

CHAPTER THREE

METHODOLOGY

This chapter provided the various components of the methodology that were adopted for the study. It also explains the various research methods that were adopted to achieve the objectives of this study.

3.1. Research Design

This study adopted the mixed research design, that is, a combination of quantitative and qualitative research methods. The choice of research design is because the study employed the use of a questionnaire as a source of primary data as well as Key Informant Interviews [KII] and the sessional reports of selected committees of the Imo State House of Assembly, Journal articles, Newspapers and Magazines, Textbooks, etc.

3.2. Sources of Data

This study used both primary and secondary data. Primary data were sourced through the use of questionnaires and Key Informant Interviews [KII] administered to staff of Imo State House of Assembly, Lawmakers, and Civil Society Organizations (CSOs). The questions on the questionnaire were adapted from the Inter-Parliamentary Union [IPU] 2008 self-assessment toolkit on parliamentary oversight over the executive. Secondary data were taken from official publications of Imo State House of Assembly, sessional reports of selected committees of the Imo State House of Assembly, books, journal articles, newspapers, magazines, etc., and other relevant materials from the internet. The sessional reports were used because of the need for complementary baseline data against which the benchmarks were tested.

3.3. Population of the Study

The population for this study was the staff of the Imo State House of Assembly (820), Civil Society Organizations (CSOs) with a legislative-related mandate (12), and the Lawmakers (27). The total population is 859.

3.4. Sampling Procedure and Sample Size

The sampling technique that was used is the simple random sampling technique. The simple random sampling technique avails every member of the population the opportunity of being selected thus canceling any form of bias that may arise from the researcher's judgment. On the other hand, the sample size is elements that make up the population that is studied from which generalization can be made on the population. The sample size for this study was determined using Taro Yamane's Formula.

$$n = \frac{N}{1 + N(e^2)}$$

Where: n = corrected sample size =?

e = Margin of Error (MoE) or desired level of precision = 0.05

N = population size

$$\text{Hence, } n = \frac{859}{1 + 864(0.05 \times 0.05)}$$

$$= \frac{859}{1 + (859 \times 0.0025)}$$

$$= \frac{859}{3.14}$$

$$= 273$$

$\therefore n$ (sample size) = 273

Therefore, the sample size for the study was 273. However, a total of six (6) interviews was conducted on the population i.e., two (2) each on the target population.

3.5. Survey Instruments

The research instruments that were used for this study is questionnaire and Key Informant Interview [KII]. The questions on the questionnaire were taken from the Inter-Parliamentary Union [IPU] 2008 self-assessment toolkit on parliamentary oversight over the executive reflective of the objectives in section 1.4.

3.6. Method of Data Analysis

Quantitative and qualitative methods were used for the analysis of data. This means that the Statistical Package for the Social Sciences (SPSS) was used to analyze and present numerical data using tables, percentages, etc., while the prose and descriptive methods was deployed in the analysis of qualitative data.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS, AND DISCUSSION

This chapter provided the analysis and discussion of the data obtained in the course of the study. As stated in section 3.5, two hundred and seventy-four (273) questionnaires were administered to respondents. However, two hundred and sixty-four (263) were filled as shown in Table 4.1. With this in mind, a review of the demographic attributes of the population would be followed by the thematic presentation, analysis, and discussion of findings according to the objectives listed in section 1.4.

Table 4.1: Summary of Questionnaire Administration

S/N	STATUS OF QUESTIONNAIRE	FREQUENCY	PERCENTAGE (%)
1	Questionnaires returned	263	96.4
2	Questionnaires not returned	10	3.6
3	Total	273	100.0

Source: Fieldwork, February 2022.

Besides, out of the six (6) Key Informant Interviews conducted on respondents, only three (3) were conducted the one being the Clerk of the Imo State House of Assembly-Mr. Ukaechi Amanze and the other two (2) lawmakers-Honourables Otuibe Samuel (Member representing Ahaizu Mbaise) and Duruji Lawrence (Member representing Ihime Mbano State Constituency). Officials declined several appeals to release Committee Sessional reports as the atmosphere within the legislature is tensed with incessant attacks within and outside the precincts of the Assembly.

4.1 Data Presentation

4.1.1. Social Demography

From the population, the study identified the following demographic qualities, i.e., gender, age bracket, educational qualification, and professional designation of the respondents. Table 4.2 presents the demographic makeup of the study area using the two hundred and sixty-four (264) questionnaires that were returned.

Table 4.2: Social demography

<i>S/N</i>	<i>SOCIAL DEMOGRAPHY ATTRIBUTES</i>	<i>FREQUENCY</i>	<i>PERCENTAGE (%)</i>
1	Gender	Male: 156	59.3
		Female: 107	40.7
2	Age bracket	40-50 years: 153	58.4
		51 and above: 110	41.6
3	Education qualification	Degree: 72	27.4
		Postgraduate: 191	72.6
4	Designated department	Lawmaker: 20	8.0
		CSO: 12	4.0
		The staff of the Assembly: 231	88.0

Source: Fieldwork, February 2022

Table 4.2 shows that 59.3% of the respondents were males while 40.7% were females. This situation may not be unconnected to patriarchal concerns plaguing Nigerian society. This concern, therefore, necessitates various gender studies (Oluyemi, 2016; Adedayo and Adedeji, 2019) and international and domestic efforts (1995 Beijing Conference 30% Affirmative Action, 35% National Gender Policy, Goal 5 of the Sustainable Development Goals [SDGs] towards achieving equality for all gender. Within the stated gender composition of the population, 58.4% are in the

age bracket of 40-50 years and 41.6% are 50 years and above. Given this, the age disposition of

the respondents denotes an experienced population which is a formal requirement for election as a lawmaker as well as the length of years in service. In this light, it can be suggested that the population cum sampling frame is knowledgeable about the subject being investigated-legislative oversight and executive accountability.

Following the content of Table 4.2, 27.4% and 72.6% of the respondents have degrees and postgraduate qualifications respectively in various disciplines. Indeed, there is no doubting the intellectual ability of the respondents to undertake their assigned tasks as well as provide accurate information for this study. However, given the choice of the population for the study, the sampled population was made up of 8.0% of lawmakers, 4.0% of CSOs, and the remnants of 88.0% are staff of the Imo State House of Assembly.

In all, the following iconographic deduction can be made from the demographic distribution of the population (see Figure 4.1).

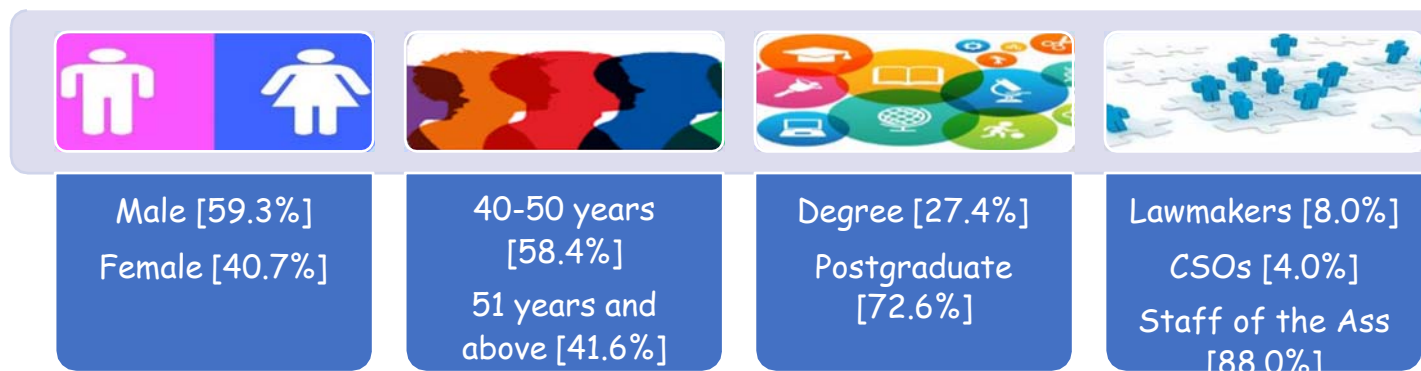


Figure 4.1: Social Demography Iconographic Representation (Source: Fieldwork, February 2022).

4.1. Objective One (1): Evaluate the Performance of Oversight Functions by the Committees of the Imo State House of Assembly

The study sought to ascertain how well the Imo State House of Assembly, Owerri has fared in the discharge of its oversight function in agreement with the objective one. The study first underscored the relevant Constitutional provisions empowering the legislature to carry-out oversight functions in Nigeria. The 1999 constitution in Section 103 allows the State Houses of Assembly to appoint a committee for such purpose as it may deem fit. Consequently, an assessment of oversight using the Inter-Parliamentary Union [IPU] (2008) benchmarks for parliamentary (committee) oversight over the executive was done as captured in table 4.3 below. Table 4.3 first provided respondents' answers regarding how well the Imo State House of Assembly has performed its oversight functions in accordance with IPU's prescribed benchmarks. Thereafter, a summary using the same benchmarks would be presented in a tabular form (See Table 4.4).

Table 4.3: Responses for oversight benchmark questions

S/N	Oversight assessment questions	Very high	High	Medium	Low	Very low	Total
1.	How rigorous and systematic are the procedures whereby members can question the executive and secure adequate information from it?	12.4%	35.4%	6.2%	46.0%	0%	100%
2.	How effective are specialist committees in carrying out their oversight function?	0.0%	26.5%	46.9%	20.4%	6.2%	100%
3.	How well is parliament able to influence and scrutinize the budget, through all its stages?	6.2%	26.5%	47.8%	6.2%	13.3%	100%
4.	How effectively can parliament scrutinize appointments to executive posts, and hold their occupants to account?	0.0%	12.4%	46.9%	33.6%	7.1%	100%
5.	How far is parliament able to hold non-elected public bodies to account?	0.0%	6.2%	59.3%	27.4%	7.1%	100%
6.	How far is parliament autonomous in practice from the executive, e.g. through control over its budget, agenda, timetable, personnel, etc.?	6.2%	28.3%	57.5%	8.0%	0.0%	100%
7.	How adequate are the numbers and expertise of professional staff to support members, individually and collectively, in the effective performance of their duties?	18.6%	6.2%	38.9%	22.1%	14.2%	100%
8.	How adequate are the research, information and other facilities available to all members and their groups?	0.0%	12.4%	61.1%	19.5%	7.1%	100%

Source: Fieldwork, February 2022

Though the responses in Table 4.3 show that the benchmarks are available in all cases in the Imo State House of Assembly, comparing the extremes of 'high and low' shows that the procedures by which members can question the executive and obtain adequate information from it are rigorous and systematic. As a result, the state legislatures' subservient status in Nigeria is further affirmed. However, 26.8 percent of respondents have reservations about the effectiveness of committees in questioning executives. On budget issues, which most legislative studies scholars list as a function of a legislative house (Adegunde, 2016), 32.7 percent of respondents indicated that the Imo State House of Assembly has the authority to influence and scrutinize budget estimates (see Section 120 of the 1999 Constitution [as altered]). However, 40.8 percent of those polled concluded that, while the constitution allows the Assembly to confirm an executive appointment, this power has been underutilized, making it nearly impossible for the legislature to hold those so appointed accountable.

On the ability of the Imo State House of Assembly to hold non-elected public bodies accountable, 34.5 percent of respondents indicated that the likelihood of such occurrence is low, despite the constitutional provision that empowers the legislature to hold people accountable, particularly on subjects over which it has legislative authority. To assert the Imo State House of Assembly's financial independence, 34.5 percent of respondents stated that the legislature controls its budget, time, agenda, and personnel. Unlike the executive, which has a wealth of expertise and resources at its disposal, 36.3 percent of respondents stated that there is a lack of expertise and professionals to assist the Imo State House of Assembly in carrying out its responsibility of legislating for Imo State residents, while 26.6 percent stated that research, facility, and information availability is inadequate. Table 4.4 provides a concise summary of the legal/constitutional provisions in comparison to the Inter-Parliamentary Union's [IPU's] benchmarks in order to fully understand

respondents' positions. This summary provides an empirical perspective on the respondents' positions.

Table 4.4: Summary of Legal/Constitutional Provisions against the Inter-Parliamentary Union’s [IPU’s] Benchmarks

S/N	OVERSIGHT ASSESSMENT QUESTIONS	SUMMARY OF LEGAL PROVISIONS
1.	How rigorous and systematic are the procedures whereby members can question the executive and secure adequate information from it?	<ul style="list-style-type: none"> •Section 128 provides for the conduct of oversight by the State legislature while section 129 (1) permits the State House of Assembly to procure evidence for the performance of oversight.
2.	How effective are specialist committees in carrying out their oversight function?	<ul style="list-style-type: none"> •Section 103 of the Constitution of the Federal Republic of Nigeria 1999 (as altered) empowers the houses to appoint a committee for any purpose it may deem fit. Nonetheless, Arowolo (2010) and Fashagba (2009) opined that the effectiveness of committees is determined by several factors such as the experience and skills of members and staff, adequate funding, etc.
3.	How well is parliament able to influence and scrutinize the budget, through all its stages?	<ul style="list-style-type: none"> •Sections 120, 121, and 123 are explicit on the powers of a State House of Assembly over public funds. In fact, Section 121 emphasizes that the Governor would lay the annual budget in the State House of Assembly.
4.	How effectively can parliament scrutinize appointments to executive posts, and hold their occupants to account?	<ul style="list-style-type: none"> •Section 192 (2) requires the confirmation of executive appointments especially offices of Commissioners of the Government of a State. •Section 120 confers investigative powers on the State House of Assembly.
5.	How far is parliament able to hold non-elected public bodies to account?	<ul style="list-style-type: none"> •The House of Assembly of a State is empowered to hold non-elected bodies accountable to the extent of the powers granted it by the provision of Section 121 of the constitution.
6.	How far is parliament autonomous in practice from the executive, e.g. through control over its budget, agenda, timetable, personnel, etc.?	<ul style="list-style-type: none"> •Section 93 stipulates the independence of the bureaucracy of the State Assembly. •Through its Rules and Business committees, the House of Assembly organize sittings daily agenda and timetable in the forms of order and notice papers respectively.

		<ul style="list-style-type: none"> •Through its budget department under the leadership of the Clerk, the Imo State House of Assembly sets its yearly financial expenditure estimates.
7.	How adequate are the numbers and expertise of professional staff to support members, individually and collectively, in the effective performance of their duties?	<ul style="list-style-type: none"> •Though they are no constitutionally stated numbers required to work with the State House of Assembly, elected members are allowed the opportunity to nominate professional assistants (Ojogwu and Wakawa, 2011). Ojogwu and Wakawa allude that there are political, legislative, and administrative functionaries in the legislature.
8.	How adequate are the research, information and other facilities available to all members and their groups?	<ul style="list-style-type: none"> •Apart from its Research department, there are no defined institutions to cater to the research and information needs of the members of the Imo State House of Assembly.

Source: Fieldwork, February 2022.

Table 4.4 explains, correctly, that within the limits of the IPU's acceptable benchmarks for assessing parliamentary oversight over the executive, there are sufficient legal frameworks for the operation of committees in the Imo State House of Assembly, even if the effectiveness of oversight in developing countries, including Nigeria, remains questionable.

4.3. Objective Two (2): Identify factors influencing the discharge of the oversight mandate by the Committees of the Imo State House of Assembly

The question put forward is to determine what factors is influencing the oversight process in the Imo State House of Assembly is to clearly ascertain what constitutes challenges to effective legislative oversight in the state.

Table 14 below shows 120% of respondents affirming that there are challenges faced by legislature in the performance of oversight of MDAs while a paltry 6.9% are of the view that there are no challenges. This confirms that legislative oversight are constrained by challenges inhibiting the effective performance of their functions in the Imo State House of Assembly.

Table 4.5: Are there deficiencies associated with the oversight responsibilities of the Imo State House of Assembly

Responses	Yes	No
Frequency	250	13
Percentage	95.0%	5.0%

Source: Fieldwork, February 2022.

To further determine what constitute these factors influencing the oversight functions of the Imo State House of Assembly, respondents were asked to identify or mention these factors. Table 4.6 below captures the list of the factors identified by respondents:

Table 4.6: Factors influencing the oversight duties of the Imo State House of Assembly.

Response	Frequency	Percentage
Lack of cooperation from the state ministries, departments and agencies (MDA).	52	32%
Inadequate resources/ dearth of critical logistics and funds to drive oversight activities in the state.	33	20%
Corruption and personal interests of the Legislators who want to enrich themselves.	26	16%
Capacity-deficiency among staff and lawmakers in the Assembly.	21	13%
High turnover of legislators, the instability of the Imo State House of Assembly, and security concerns in the state.	18	11%
Poor planning and lack of legislative agenda/work plan.	13	8%
Total	163	100%

Source: Fieldwork, February 2022.

The above identified challenges were collaborated by Omotoso and Oladeji (2019);Fashagba (2009);Nwogwugwu and Ishola (2019) and the interviews conducted, when they listed the deficiencies to include the following:

- i. Inadequate cooperation from the executive and its agencies;
- ii. Inadequate resources (material and financial);
- iii. Personal Interests of the Legislators;
- iv. Lack of capacity; and
- v. Peculiar challenges

Some deficiencies in the discharge of the oversight mandate of Committees of the Imo State House of Assembly are summed as follows:

(i) Inadequate cooperation from the executive and its agencies

In his case study of the Kwara State House of Assembly, Fashagba (2009) alluded that member of the executive arm consider as affront an invitation by the legislature. Oversight by committees is, therefore, often considered interference by the Ministries, Departments, and Agencies (MDAs)

involved. Those summoned often report such *'interference'* to the chief executive who then employs *'diplomatic'* means to erode the capacity of the legislature to effectively undertake its oversight responsibility. In the same vein, Omotoso and Oladeji (2019) argue that the legislature is adequately empowered by the constitution to perform oversight functions and act as the watchdog of the executive (see sections 120 and 121 of the 1999 Constitution as altered). However, the exercise of this function to ensure good governance for the benefit of the citizens is often interfered with and hampered by the executive. According to Omotoso and Oladeji, the executive does this by ensuring that their cronies are elected as the leaders of the legislative house. Therefore, where the legislature musters enough courage and ventures to carry out any of the oversight functions, the executive often resorts to the victimization of the alleged dissidents (Thisday-live, 2020, December 22nd). This denies citizens the dividends of good governance which is their entitlement.

(ii) Inadequate resources (material and financial)

Governance especially in presidential systems is finance-intensive. Inability to finance field trips or tours has, on different occasions, rendered impossible committee's attempt to undertake oversight visits to the government's project sites. The problem of inadequacy of funds has been blamed on the executive who is alleged to often deliberately starve the legislature of the funds required for the efficient performance of its responsibilities (Fashagba, 2009). Therefore, in the absence of adequate financing of committees, it will be difficult to make the executive accountable. Corroborating this position, the Clerk of the Assembly, Mr. Amanze (2022, personal interview) averred as follows

One of the fundamental issues mitigating the effectiveness of oversight functions of legislative committees is the inadequacy of funds. Many times, it happened that there was no fund barely a few days to scheduled dates for oversight functions.

And when funds are released, the released funds are inadequate. Sometimes, the Committees rely on host MDAs to provide logistical support. As part of tools for effective oversight functions, Committees usually arrange for buses, security agents, and journalists for oversight functions. These operational needs represent the justification for proper funding.

In conformity to the above, Honourable Samuel (2022, personal interview) alluded that meager financial resources often available for committees results in difficulties with logistics. Honourable Samuel noted that “Committees cannot meet the financial obligations required for effective oversight activities. Therefore, the committee depended on logistical support from MDAs. This idea should not be encouraged.” In a twist, the challenge of inadequate resources applies to MDAs as Honourable Samuel opined that “the oversight functions we conducted statewide showed that many ongoing projects were grasping with poor funding or lack of funds. The implication is that such projects suffer undue delay and sometimes abandonment.”

(iii) Personal Interests of the Legislators

Nwogwugwu and Ishola (2019) hinted at the danger inherent in such personal preferences of legislators in the course of oversight when they noted that the interests of the legislators hinder the performance of the oversight function which results in the effective implementation of public policies in Nigeria. Similarly, Omotoso and Oladeji (2019) argued that lawmakers pursue their selfish interests rather than the collective goal of governance, this is often at variance with the primary roles. Where such interest overrides collective interest, the system will be undermined and legislative efficiency compromised. This has robbed Nigerians of good governance through ineffective and inefficient legislative oversight of the executive driven by primordial considerations. For instance, the chairman of the Presidential Advisory Committee on Anti-Corruption (PACAC), Professor Itse Sagay to the effect that lawmakers ask for gratification before embarking on oversight functions to Ministries, Departments, and Agencies [MDAs] (Vanguard

Nigeria, 2019, November 22nd). This has become the norm as legislators in the discharge of their oversight duties are more interested in financial gains accruable to them than ensuring good governance through such duties (Omotoso and Oladeji, 2019). The implication of this is that the outcome of such investigations cannot be objective. Therefore, given its critical place in governance, Omotoso and Oladeji (2019) posited that this action has resulted in a situation where the state has failed state to move in the right direction and deliver necessary democratic goods.

(iv) Deficiency in capacity of Manpower

The Clerk of the Assembly, Mr. Amanze (2022, personal interview) averred that the “Committee members are not nominated based on core areas of competence but based on personal interests or political expediency. This fact according to him, affects oversight functions as some members of the committee have little or no technical knowledge of the Committee's mandate.” Mr. Amanze explained further that “the allocation of committees to clerks and staff are not done based on field or area of competence.”

(v) Peculiar challenges

Two obstacles featured prominently in the lists provided by the key informants, viz: the instability of the Imo State House of Assembly and security concerns. Foremost, Mr. Amanze decried the impact of leadership as well as an identity crisis in the legislature as he alluded that instability issues “has resulted in a very docile inactive assembly that no longer worries about governance but now concerns itself more with one kind of problem after another.” Honourable Lawrence (2022, personal interview) on his part cited the security threats in the state as an impediment to the oversight by the committees of the State House of Assembly. Specifically, he stated that “the security challenges in the South East especially Imo State have had a significant impact on the oversight activities of the Committees of the State Assembly. Most legislators excused themselves

from oversight activities due to security concerns. The security issues were mainly; the Militant wing of the Indigenous People of Biafra (IPOB)-Eastern Security Network (ESN) attacks, kidnappings and armed robberies”.

4.4. Remedy for the Deficiencies in the Performance of Oversight by the Committees of the Imo State House of Assembly

Following the challenges identified in section 4.4 above, this study suggests the following as strategies to remedy the deficiencies in the performance of oversight by the committees of the Imo State House of Assembly in the future:

4.4.1. Improved Executive-Legislative Relations Anchored on the Principle of Separation of Powers

Rockman (1983) identified four major elements in legislative-executive relations viz, values and perspectives of governance; the major players, actions, and institutions; and legislative control and supervision of executive behaviour, which is referred to as oversight. Ideally, the kind of relationship that should exist between the executive and legislature ought to be cordial and functional, since their relationship is guided by the constitution. However, conflicts arise due to the inevitability of the co-existence of the two independent organs that the presidential government creates. Despite these occasional conflicts, Momodu and Matudi (2013) listed the following as the impact of a constructive executive-legislative relationship:

- 1) It assists the legislature to constructively monitor and criticize the policies of the executive through their oversight function;
- 2) It strengthens the democratic process;
- 3) Promotes good governance and responsible leadership;
- 4) Promotes transparency and accountability in governance;

- 5) Assist the executive to be focused and committed to delivering good governance to the citizens;
- 6) It helps the legislature to make efficient laws that will promote good governance; etc.

In perspective, since oversight drives good governance processes, constructive executive-legislative relations based on the tenets of the principle of separation of powers will no doubt ensure the attainment of oversight outcomes. Given the need for such relation between the executive and legislature, Mr. Amanze (2022, personal interview) posited that “there should be an agreement between both parties for oversight function to be carried out and be effective”. In the same vein, Honourable Samuel (2022, personal interview) concluded that “there must be a good understanding with the leadership of MDAs and legislative Committee”. Indeed, both respondents acknowledge the fact that constructive executive-legislative relation is needed to drive oversight goals.

4.4.2. Performance Enhancement through the Implementation of Oversight Recommendations

The purpose of oversight performance evaluation is to improve the oversight processes. Such improvement should include a mechanism for the enforcement of the implementation of oversight recommendations or reports. Buttressing the use of implementing oversight recommendations, Honourable Lawrence (2022, personal interview) posited that “there is a need to implement all the recommendations being discovered during oversight by committees in their previous oversight before a new one can be performed”. While at this, Mr. Amanze (2022, personal interview) stated that setting self-accountability standards through the use of acceptable benchmarks would expose lapses as the disregard for oversight recommendations and the lack of follow-up mechanisms. In turn, oversight report recommendations are followed up for implementation.

Also, self-accountability measures would dissuade lawmakers from seeking self-serving interests. This measure in time would influence electoral outcomes as unpatriotic lawmakers would not be returned to the legislative house. In fact, Honourable Samuel (2022, personal interview) captured it aptly when he made a case for voting “right candidates who are interested to do the job in the interest of Imolites[*sic*] ... and not settlement as usual”.

4.4.3. Addressing Funding Issues-Committee and Project Fundings

Inadequate financial and material resources to either party in the oversight process can impair its outcome. For instance, Honourable Lawrence (2022, personal interview) appealed that “there should be enough budgetary allocation for oversight and other duties that are carried out by legislative committees”. Going further, Honourable Lawrence insisted that to avoid inconsistency in legislative oversight, funds should be released promptly to MDAs. To the legislature, the adequate fund would address material challenges as well as enhance the capacity of the legislature to effectively perform its oversight function. In the absence of adequate financing of committees, it will be difficult to make the executive accountable since most of them would depend on their MDAs to fund their activities. This would compromise the tenets of oversight by impairing their judgment.

4.4.4. Active Involvement of Civil Society Organizations (CSOs)

To ensure accountability and transparency, civil society actors need to be further capacitated to focus on all aspects of oversight issues that may initially not appear to be accessible for civil society oversight such as monitoring, budget analysis, legal assistance, and support to legal reform. This has become necessary due to the need to improve and increase the information available to the public on oversight needs, challenges, and opportunities. Affirming this position, Mr. Amanze(2022, personal interview) asserted that “Civil Society Organization should be involved so that

oversight function should be open to the public as well”. On this note, it must be stated that the CSOs have great roles in the accountability framework. Therefore, to ensure accountability on the sides of the parties to the oversight, CSOs must be allowed to play their watchdog role unhindered.

4.5. Discussion of Findings

The summary is basically on the responses of the respondents.

- i. Finding shows that the procedures by which members can question the executive and obtain adequate information from it are rigorous and systematic. Thereby confirming the state legislatures' subservient status in Nigeria. 26.8 percent of respondents have reservations about the effectiveness of committees in questioning executives. On budget issues, which most legislative studies scholars list as a function of a legislative house 32.7 percent of respondents indicated that the Imo State House of Assembly has the authority to influence and scrutinize budget estimates (see Section 120 of the 1999 Constitution [as altered]). However, 40.8 percent of those polled concluded that, while the constitution allows the Assembly to confirm an executive appointment, this power has been underutilized, making it nearly impossible for the legislature to hold those so appointed accountable.
- ii. On the ability of the Imo State House of Assembly to hold non-elected public bodies accountable, 34.5 percent of respondents indicated that the likelihood of such occurrence is low, despite the constitutional provision that empowers the legislature to hold people accountable, particularly on subjects over which it has legislative authority. To assert the Imo State House of Assembly's financial independence, 34.5 percent of respondents stated that the legislature controls its budget, time, agenda, and personnel. Unlike the executive, which has a wealth of expertise and resources at its disposal, 36.3 percent of respondents stated that there is a lack of expertise and professionals to assist the Imo State House of Assembly in

carrying out its responsibility of legislating for Imo State residents, while 26.6 percent stated that research, facility, and information availability is inadequate. Table 4.4 provides a concise summary of the legal/constitutional provisions in comparison to the Inter-Parliamentary Union's [IPU's] benchmarks to fully understand respondents' positions. This summary provides an empirical perspective on the respondents' positions.

- iii. Finding also shows that 95% of respondents agreed with the fact that there are factors influencing the oversight functions of the Imo State House of Assembly. They further identified as factors the following: lack of cooperation from the state ministries, departments and agencies (MDA); inadequate resources/ dearth of critical logistics and funds to drive oversight activities in the state; corruption and personal interests of the Legislators who want to enrich themselves; capacity-deficiency among staff and lawmakers in the Assembly; high turnover of legislators, the instability of the Imo State House of Assembly and security concerns in the state; and poor planning and lack of legislative agenda/work-plan.
- iv. The study further identified the following as remedial measures to boost effectiveness of oversight activities in the state assembly: improved executive-legislative relations anchored on the principle of separation of powers; performance enhancement through the implementation of oversight recommendations; addressing funding issues-committee and project funding; and active involvement of civil society organizations (CSOs)

CHAPTER FIVE

SUMMARY, RECOMMENDATIONS, AND CONCLUSION

This chapter presented the summary, conclusion, and recommendations of the study.

5.1. Summary of Findings

The legislative oversight function is the mechanism through which the people in government are kept under watch. It aims at curbing waste, inefficiency, ineffectiveness, corruption, mismanagement of public resources, etc in governance. This study assesses the performance of oversight by the Committees of Imo State House of Assembly. To achieve set objectives, the study adopted the mixed research design thus, relying on quantitative and qualitative data. Data were, therefore, taken from primary (administration of questionnaires adapted from the 2008 Inter-Parliamentary Union [IPU] toolkit and Key Informant Interview) and secondary (official publications of the Imo State House of Assembly, journal articles, magazines, internet, etc.) source. The prose and descriptive methods were employed for the analysis of qualitative and quantitative data respectively.

The study revealed that despite the plethora of legal frameworks guiding the conduct of legislative oversight in Nigeria given the benchmarks proposed by the Inter-Parliamentary Union [IPU], whether or not has the process been effective remains a puzzle yet to be resolved. Nevertheless, the Committees of the Imo State House of Assembly is faced with the challenges such as inadequate materials, lack of capacity, security issues, etc. In fact, findings showed that the Imo State House of Assembly is relatively unstable to pursue its constitutional mandates. And like is feared by legislative scholars, the State House of Assembly is subservient to the executive arm.

This could be seen with the passage of the Imo State Administration of Criminal bill No 2 of 2020 [ISACJL, 2020] (Sahara Reporters, 2020, 18th September).

Remarkably, as established in the legislative literature, the subservience of the Imo State House of Assembly was evident in the removal of the Presiding Officers of the House of Assembly thus tampering with the independence of the House as well as negating the principles of separation of powers. Therefore, given the conceptualization of the study using the principle of separation of powers, the Imo State House of Assembly is constitutionally permitted to pursue its mandates for the peace, order, and good government of the people of Imo State.

5.2. Conclusion

The roles of the legislatures which have broadened and transformed has engendered reliance on the committees. For instance, an investigation into any matter or oversight visit to any site by the legislature would have been rowdy, if not impracticable, if the whole House were to be involved. By this, the inherently small size of committees promotes efficiency while saving cost. Explicitly, the oversight function of the legislature is essential to democracy in ensuring that the intent of the legislature in legislating laws that will improve the living standard of the people is reflected in the performance of the executive functions. Hence, since oversight is aimed at enthrone accountability in governance, it is pertinent that the legislature-the elected representatives of the people imbibe its principles.

However, wanton abuse of oversight processes has continued to plague lawmaking in Nigeria, hence, most often than not, self-seeking agenda drive oversight processes. In fact, subnational legislatures have proven to be an extension of the executive arm where matters of importance are inadequately considered. Besides, the Imo State House of Assembly in recent times has been embroiled in leadership challenges with the frequent change of Presiding officers. This, therefore,

necessitates the question of whether the Committees of Imo State House of Assembly discharged its oversight mandate? If they did, were questions of effectiveness sufficiently addressed? Drawing from this, since human endeavor cannot be divorced completely from inadequacies or challenges, it is imperative to implement the recommendations put forward by this study to enhance the effectiveness of the oversight function of the Imo State House of Assembly Committees.

5.3. Recommendations

From the foregoing analysis and in agreement with the research objectives, this study made the following recommendations:

Provision of Resources. It is no doubt that effective oversight requires resources (financial and material). Material needs of legislative committees include stationeries, office equipment and space, and logistics. The presence of the afore listed is, however, determined by financial resources. In essence, adequate funds should be made available by government for the administration of the committee's affairs.

Capacity Development Programmes for the Members and Staff of the Committee. The effectiveness or otherwise of a legislative committee is based on the aptitude of its members and staff. This is because the committee's output exudes the competencies of its members and staff. On this note, to ensure the optimal performance of the committees of the Imo State House of Assembly, there is the need to bridge capacity gaps by training and retraining committee staff and members. In the end, effective Committees of the Assembly will rub off on the overall legislative output of the Imo State House of Assembly.

Improved Cooperation between the Committee and its Ministries, Departments, and Agencies (MDAs). Although the principle of separation of powers upon which the constitution was premised recognizes the notion of checks and balances, the achievement of the goals intended

by this concept, however, does not translate into conflicts between the legislature and the executive. To this end, the MDA chief executives, as well as members of the legislature, should understand that even if the constitution occasions such checks, there is the need to work closely as agents to the electorates. This could be achieved through regular retreats by the two arms of government.

Adoption of Self-accountability Measure for the Members of the Committee. Accountability standards should not only be imposed on the executives but also on members of the legislature especially its committee in their quest to enthrone good governance. Self-accountability measures would help keep the committee in check against overreaching actions during their conduct of oversight.

Enforcement of the implementation of oversight recommendations through necessary legal instruments. In most cases, oversight recommendations are rarely implemented. Therefore, the enactment of relevant laws to help ensure the implementation of oversight recommendations is pertinent. In its provisions, such laws should provide basic guides for the conduct of oversight and the follow-up mechanism of its recommendations.

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APPENDIX
QUESTIONNAIRE

Dear Sir/Ma,

REQUEST FOR ASSISTANCE TO FILL OUT QUESTIONNAIRE

My name is Nwaegbu Oluebube Christian, a Master's degree student of the National Institute for Legislative and Democratic Studies (NILDS/UNIBEN) carrying out research titled: *Legislative Oversight Function in Nigeria: A Case Study of Imo State House of Assembly*.

I will be most grateful for your assistance to fill out this questionnaire. Be assured that all information provided will be strictly used for this research only, and, treated with strict confidentiality. Thus, you are not required to disclose your identity.

Instruction: Tick to answer questions 1-11 only.

1. Sex: Male female
2. Age: 18-28 29-39 40-50 51 and above
3. Educational qualification: First School Leaving Certificate Senior School Certificate Examination OND/HND BSc/BEng/BEd/BA Postgraduate
4. Designation: Lawmaker Staff of the Imo State House of Assembly CSOs

S/N	Oversight assessment questions	Very high	High	Medium	Low	Very low
5.	How rigorous and systematic are the procedures whereby members can question					

	the executive and secure adequate information from it?					
6.	How effective are specialist committees in carrying out their oversight function?					
7.	How well is parliament able to influence and scrutinize the national budget, through all its stages?					
8.	How effectively can parliament scrutinize appointments to executive posts, and hold their occupants to account?					
9.	How far is parliament able to hold non-elected public bodies to account?					
10.	How far is parliament autonomous in practice from the executive, e.g. through control over its own budget, agenda, timetable, personnel, etc.?					
11.	How adequate are the numbers and expertise of professional staff to support members, individually and collectively, in the effective performance of their duties?					
12.	How adequate are the research, information and other facilities available to all members and their groups?					

13. Are there deficiencies associated with the oversight responsibilities of the Imo State

House of Assembly? Yes [] No []

14. What are the most serious ongoing deficiency in the oversight process?

15. What measures would be needed to remedy this deficiency?
