

**AN ASSESSMENT OF OVERSIGHT FUNCTIONS OF SENATE
COMMITTEE ON DEFENCE, 2015-2019**

BY

JOY ANWULI JUWEH

PG/NLS/1818049

**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 PARLIAMENTARY
ADMINISTRATION (MPD)**

JUNE, 2021

CERTIFICATION

This dissertation titled “*An Assessment of Oversight Functions of Senate Committee on Defence, 2015-2019*” presented by Joy Anwuli Juweh (PG/NLS/1818049) has met the partial requirements for the award of the degree of Masters in Parliamentary Administration (MPD) of the National Institute for Legislative and Democratic Studies/University of Benin, Edo State.

.....

Dr. Ishaya Sarki Habu
(Supervisor)

.....

Date

DECLARATION

I hereby declare that this dissertation is a product of my research efforts, undertaken under the supervision of Dr. Ishaya Sarki Habu. It is an original work and no part of it has ever been presented for the award of any degree anywhere. All sources of information have been duly acknowledged through the references.

Joy Anwuli Juweh

PG/NLS/1818049

APPROVAL PAGE

This is to certify that this dissertation “*An Assessment of Oversight Functions of Senate Committee on Defence, 2015-2019*” has been read and approved as having met the partial requirements for the award of the degree of Masters in Parliamentary Administration of the University of Benin/National Institute for Legislative and Democratic Studies.

Dr. Ishaya Sarki Habu
(Supervisor)

Date

Dr. Abiola Asimiyu
(Director P. G.)

Date

Dr. Ndanusa M. Manzuma
(Internal Examiner)

Date

Prof. Olu Okotori
External Examiner

Date

DEDICATION

This work is dedicated to God Almighty the creator of heaven and earth, my late husband, and my children.

ACKNOWLEDGEMENT

To begin with, I deeply appreciate God Almighty for His grace, provision, and protection over me in the course of my programme. Also, I would like to express my sincere gratitude to my supervisor Dr. Ishaya Sarki Habu, whose tutelage afforded me the knowledge of the modalities of embarking on the completion of this project in the required form.

I equally like to acknowledge the people who made this research work successfully. Dr. Abiola Asimiyu, Dr. Ndanusa M. Manzuma and Prof. Olu Otokori.

Furthermore, I like to thank the National Assembly management for allowing me to undertake this course. I am grateful to all the lecturers, staff, and non-academic staff of the National Institute for Legislative and Democratic Studies (NILDS) for their commitment and dedication to their responsibilities. In the same vein, I wish to appreciate my respondents for the time and attention given to my research instrument.

Finally, I am indebted to my course mates, my children, and family members for their encouragement, understanding, and sacrifice of love towards the success of my study.

May God bless you all.

TABLE OF CONTENTS

Cover Page	
Certification	i
Declaration	ii
Approval Page	
iii	
Dedication	iv
Acknowledgment.....	v
Table of Contents	vi
List of Abbreviation	ix
List of Tables.....	xi
Abstract	xii

CHAPTER ONE: INTRODUCTION

1.1	Background to the Study	1
1.2	Statement of the Research	
	Problem.....	3
1.3	Research Questions	4
1.4	Research Objectives	5
1.5	Scope of the	
	Study.....	5
1.6	Significance of the Study	
	6
1.7	Definition of Key Concepts	7

1.8	Organization of the Study.....	7
-----	--------------------------------	---

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1	The Concept of Legislative Oversight	9
2.2	Committee System	14
2.3	Committee on Defence and Oversight	18
2.4	Challenges of Oversight in Nigeria	19
2.5	Empirical Review	23
2.6	Gap in Knowledge	28
2.7	Theoretical Framework-Separation of Powers	28

CHAPTER THREE: METHODOLOGY

3.1	Research Design	31
3.2	Sources of Data	31
3.3	Study Area	32
3.4	Population of the Study	32
3.5	Sampling Procedure and Sample Size	32
3.6	Survey Instrument	33
3.7	Method of Data Analysis	33

3.8	Limitations to the Methodology	34
-----	--------------------------------------	----

CHAPTER FOUR: DATA PRESENTATION, ANALYSIS, AND DISCUSSION

4.1	Social Demography of Respondents	35
-----	--	----

4.2	Extent to which the Senate Committee on Defence Carried out its Oversight Function....	38
-----	--	----

4.3	Performance of Oversight Function by the Senate Committee on Defence in the 8 th Assembly	42
-----	---	----

4.4	Challenges Affecting the Committee in the Discharge of its Functions	46
-----	--	----

4.5	Discussion of Findings	52
-----	------------------------------	----

CHAPTER FIVE: SUMMARY, CONCLUSION, AND RECOMMENDATIONS

5.1	Summary	55
-----	---------------	----

5.2	Conclusion	57
-----	-------------------	----

5.3	Recommendations	58
-----	--------------------------	----

5.4	Contribution to Knowledge	61
-----	---------------------------------	----

5.5	Suggestion for Further Study	61
-----	------------------------------------	----

References.....	62
-----------------	-------	----

Appendix

LIST OF ABBREVIATIONS

AFSCC	Armed Forces Command and Staff College
CFRN	Constitution of the Federal Republic of Nigeria
COVID-19	Corona Virus Disease 2019
CPA	Commonwealth Parliamentary Association
CRFF	Consolidated Revenue Fund of the Federation
DCAF	Geneva Centre for the Democratic Control of Armed Forces
DHQ	Defence Headquarters
DIA	Defence Intelligence Agency
DICON	Defence Industries Corporation of Nigeria
DRDB	Defence Research and Development Bureau
DSA	Defence Space Agency
FCT	Federal Capital Territory
LRC	Legislative Research Council
MDAs	Ministries, Departments, and Agencies
MOD	Ministry of Defence
MPB	Military Pensions Board

NAFRC	Nigerian Armed Forces Resettlement Centre
NDA	Nigerian Defence Academy
NDC	National Defence College
NDI	National Democratic Institute for International Affairs
NGOs	Non-Governmental Organizations
NILDS	National Institute for Legislative and Democratic Studies
PACAC	Presidential Advisory Committee on Anti-Corruption
PLAC	Policy and Legal Advocacy Centre
YIAGA	Youth Initiative for Advocacy, Growth & Advancement

LIST OF TABLES

Table 4.1	Summary of Questionnaire Administration	35
Table 4.2	Gender of Respondents	36
Table 4.3	Age Bracket of Respondents	36
Table 4.4	Educational Qualification of Respondents	37
Table 4.5	Staff Distribution between the Population	38
Table 4.6	Frequency of the Senate Committee on Defence Oversight Visits	40
Table 4.7	Oversight Activities of the Senate Committee on Defence (2015 – 2019)	40
Table 4.8	Grading the Senate Committee on Defence Oversight Visits	42
Table 4.9	Meeting Records of the Senate Committee on Defence (2015-2019)	43
Table 4.10	Assessing the Performance of Oversight by the Senate Committee on Defence	46

ABSTRACT

The study examined the extent to which the Senate Committee on Defence carried out its oversight function from 2015 to 2019. It also assessed the performance of the oversight function by the Senate Committee on Defence in the 8th Assembly, identified the challenges that have affected the Committee in the discharge of its functions, and recommended ways that would improve the committee in the performance of its oversight functions.

The study adopted the mixed research design thus, relying on quantitative and qualitative data. Data was, therefore, taken from primary (administration of questionnaires) and secondary (official publications of the National Assembly, journal articles, magazines, internet, the sessional reports of the Senate Committee on Defence, etc.) source. The prose and descriptive methods that emphasize the textual presentation of data were employed for the analysis of qualitative data, while the Statistical Package for the Social Sciences (SPSS 16.0) was used to analyze quantitative data which were presented using simple frequencies.

Findings revealed that the 8th Senate Committee on Defence undertook oversight of the activities of agencies such as; the committee Ministry of Defence (MOD), Defence Headquarters (DHQ), Nigerian Defence Academy (NDA), Defence Research and Development Bureau (DRDB), Defence Industries Corporation of Nigeria (DICON), Armed Forces Command and Staff College (AFCSC), National Defence College (NDC), Defence Space Agency (DSA), etc. Given this, empirical data found that the committee; had a total of 17 meetings, made 2 oversight, had 1 public hearing, and 4 budget hearing sessions, received 6 referrals including motions, held 2 interactive sessions with Ministries, Departments, and Agencies (MDAs) under its jurisdiction, 6 public reflection sessions. However, the study found that the lust for money, lack of oversight

performance evaluation mechanism, conflictive executive-legislative relations, noninvolvement of CSOs in the oversight process, among others militated against the performance of oversight

xii

by the committee. Conversely, the study recommended the active involvement of Civil Society Organizations (CSOs), resolving financial and material constraints peculiar to the committee and executive agencies, constructive executive-legislative relations, among others, as measures that would improve the performance of the Senate Committee on Defence in the future, strengthen the oversight process, as well as entrench good governance culture.

The Senate Committee on Defence has undoubtedly discharged its oversight mandate, but not without pockets of challenges cropping up from time to time. This is, at best attributed to human nature which cannot be divorced from such inanities. Since governance is often at the centre of legislative representation, it is important to implement the recommendations contained in this study to enhance the effectiveness of the oversight function of the Senate Committee on Defence especially, seeing that for good governance to exist, matters relating to security must be taken seriously.

CHAPTER ONE

INTRODUCTION

1.1. Background to the Study

The parliament or legislature is one of the organs of government empowered with checking the activities and actions of the executive organ of government because governance begins with lawmaking which is its responsibility. This duty of the legislature is called parliamentary or legislative oversight over the executive which implies parliamentary supervision of executive actions. Legislative oversight helps to entrench an effective and productive governance culture and to constantly provide the check needed to ensure executives comply with extant laws. Because of this, Verney (1969) concluded that the watchdog function of a legislative assembly is perhaps more important to it than that of lawmaking. This is more so, as government Ministries, Departments, and Agencies (MDAs) exist according to the letters of specific laws enacted by the legislature empowering their existence. Thus, a constant need to continually ensure their existence follow laws passed by the legislature.

The Legislature's oversight role is significant because it shines the spotlight of public attention on many critical issues, which enables lawmakers and the general public to make informed judgments about executive performance. Specifically, legislative oversight serves to protect the policymaking role of the National Assembly within the context of the constitutional system of checks and balances imposed by the principle of separation of powers. The most common method by which the legislature conducts oversight is through the committee structure. In developed and emerging democracies, oversight is generally considered a committee activity.

Committees represent a small fracture of the membership of the whole house assigned to carry out a task in the most detailed fashion than would the parent body.

The power of oversight in most jurisdictions is conferred by the constitutions and the rules guiding the legislative house. To illustrate, in the US Congress, the conduct of oversight has become the most decentralized as works conducted in Members' offices, or in their district or state offices, can result in findings of bureaucratic behaviour and policy implementation (Congressional Research Service [CRS], 2020). Discoveries from such studies, in turn, can lead to the adjustment of agency policies and procedures and changes in public law. Also, the House and Senate can establish select or special committees to probe issues and agencies, promote public understanding of national concerns, and coordinate oversight of issues that span the jurisdiction of more than one standing committee. Of the agencies in the US Congress, three directly assist it in support of its oversight function: Congressional Budget Office (CBO), Congressional Research Service (CRS), and the Government Accountability Office (GAO). Indeed, this may have prompted various scholarly claims of the developed nature of the US Congress Committee system hence, indicative of its stature as a transformative legislature (Johnson, 2005).

In the Nigerian National Assembly, the 1999 Constitution as amended enables 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 88 of the Constitution of the Federal Republic of Nigeria [CFRN], 1999, as altered). The constitution further grants it the power to regulate its procedure (Section 60) and appoint committees for any purpose it deems fit (Section 62 (1)). To this end, the National Assembly as the representatives of the people is expected to follow up its legislation to make sure that they are obeyed. Like in the United States Congress, the National Assembly is expected to carry out all its

functions with the support of institutions such as the National Institute for Legislative and Democratic Studies (NILDS) and the National Assembly Budget and Research Office (NABRO), not much can be desired in the performance of oversight by legislators in collective (committee) or individual capacities. Given this reason, this study sought to evaluate the performance of oversight in the 8th National Assembly.

1.2. Statement of Research Problem

Sections 4, 5, and 6 of the Constitution of the Federal Republic of Nigeria [CFRN] 1999 (as altered) describes the role of the arms of government premised on the principle of separation of powers. The legislature represents the 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. Hence, the legislative powers are vested in the National Assembly comprising a Senate and a House of Representatives (CFRN, Section 4(1), 1999, as amended). Drawing from this, Sections 88 allows each House of the National Assembly through its resolution to direct an investigation or cause an investigation to be directed into matters it has powers make laws, the conduct of affairs of any person, MDA, etc., charged with the duty of administering laws or moneys appropriated, while Section 89 empowers it to obtain pieces of evidence required to discharge the burden laid on it by the provisions of Section 88. However, the exercise of oversight in the National Assembly involves the responsibility of legislative committees that undertake the review, in-depth study, and evaluation of the activities of the government (Asimiyu, 2018). These committees, draw legitimacy from Section 62 of the CFRN 1999 (as altered) with clearly defined mandate and functions in the standing orders of the respective houses.

In particular, the mandate of the Senate Committee on Defence as spelled out in Rule 95(1) of the Senate Standing Orders 2015 (as amended) include the Payment, promotion, retirement, and other benefits and Privileges of members of the Army; Defence Headquarters; Ammunition Depots, Forts, Arsenal Reservations and Establishments; Barrack projects; Military application of nuclear energy; Disarmament; Army Cadets; Resettlement Scheme for serving officers of the Army; war graves monuments; and memorabilia; peacekeeping operations; and the consideration of Annual budget estimates (Committee on Defence Sessional Report, Senate, 2020). Despite the constitutional backing, the Committees of the National Assembly in general and the Senate Committee on Defence in specific, are still constrained in the performance of their oversight mandate. Thus, Fashagba (2009a) listed inadequate funding, lack of cooperation from Ministries, Departments, and Agencies (MDAs), executive interference, among others, as challenges militating against the effectiveness of legislative committees. These challenges notwithstanding, legislative committees remain a critical success factor in the performance of legislatures especially in the light of the powers vested in lawmakers as agents by the citizens-who are the principals. Given this, this study assessed the performance of the oversight activities of the 8th Senate Committee on Defence in the administration of the Defence Sector.

1.3. Research Questions

The study provided answers to the following questions:

- (i) To what extent did the Senate Committee on Defence carry out any oversight activities within the period under study?
- (ii) How did the Senate Committee on Defence perform its oversight function in the 8th Assembly?

- (iii) What were the factors that affected the performance of the Senate Committee on Defence during the period under review?
- (iv) In what ways can the performance of oversight by the Senate Committee on Defence be improved?

1.4. Research Objectives

The broad objective of this study is to assess the performance of oversight of the National Assembly with a focus on the activities of the 8th Senate Committee on Defence. The specific objectives are to

- (i) examine the extent to which the Senate Committee on Defence carried out its oversight function within the period under study;
- (ii) assess the performance of oversight function by the Senate Committee on Defence in the 8th Assembly;
- (iii) identify the challenges that have affected the Committee in the discharge of its functions; and
- (iv) recommend ways that will improve the committee in the performance of its oversight functions.

1.5. Scope of the Study

First, the study covers the National Assembly because the subject of interrogation is within the legislative competence of the Federal legislature being the National Assembly. Also, scholars of legislative studies refer to subnational legislatures especially in Nigeria as an appendage of the executive (Fashagba, 2009; Arowolo, 2010), as such, an examination of the performance of legislative oversight within the context of subnational government may not yield the desired

research outcome. The study is delimited to the Senate Committee on Defence in the National Assembly within the period 2015-2019. These, covering both the scopes of time and analysis were chosen because of the overwhelming importance of the Defence sector in the face of numerous security challenges bedeviling the country (British Broadcasting Corporation, [BBC], 2017, May 8th), and the attendant acrimonious relationship that existed between the executive and legislative arms at the time (Punch Nigeria, 2016, June 20th). Analytically, the study is delimited to measuring committee performance due to the prime place of legislative committees as anchorage for legislative duties. In this light, it can be argued that the nonperformance of the Senate Committee on Defence could rub off on the legislative output of the Senate on Defence-related matters.

1.6. Significance of the Study

Despite the vast material available on the role of committees in the conduct of oversight, there is still a dearth on the very importance of Defence-related committees. Though research exists on the related concept of the committee system in organizing the legislature, these are just related and not the same concepts as this study demonstrates. This suggests the need for a body of literature that will evoke discussion within the academia and policy circles on the equally important topic of oversight performance by the 8th Senate Committee on Defence given mounting security concerns in the country. Therefore, this research hopes to fill that gap.

To students, the study is invaluable material for consultation for their academic endeavours. The study is material to all security officers and policymakers who seek to have a better understanding of the role of the legislature in modern democracies as well as those of committees in enhancing accountability in governance. The study may also give policymakers insights into the problems encountered by legislative committees in the conduct of oversight. To

the public, the study would help them to understand the concepts of oversight and accountability in governance. This research will contribute immensely to knowledge already existing in the area of oversight in Nigeria as it will serve as a springboard for further researches in this area, as well as contribute to the body of literature.

1.7 Definition of Key Concepts

Oversight: According to Nwagwu (2014), the legislative oversight function is the mechanism through which the people in government are kept under watch. Operationally, oversight is a means for holding the executive accountable for its actions and for ensuring that it implements policies following the laws and budget passed by the legislature.

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

8th Senate Committee on Defence: The Defence Committee Sessional Report, Senate (2020), describes the Senate Committee on Defence the Standing Committee of the Senate reconstituted at its sitting on Tuesday 3rd November 2015, according to Section 62 (1) of the 1999 Constitution of the Federal Republic of Nigeria, as amended.

1.8 Organization of the Study

This dissertation is divided into five chapters. Chapter one contains the general introduction which consists of the background to the study, statement of the research problem, research questions and objectives, significance of the study, the scope of the study, and the outline of the research. Chapter two provides a thorough review of the literature bordering on the variables being

studied and the theoretical framework. Also, chapter three focuses on a comprehensive statement of the research methodology as well as the limitations to the methodology. Besides, chapter four will provide the presentation of data and discussion of results. Finally, chapter five provides a summary of the study, recommendations, contributions of the research to the body of knowledge, and conclusions based on the findings from this study.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter presents scholarly views related to the concepts of oversight and legislative committees. Discussion in this chapter would be centered around providing a conceptual review, empirical review, and a theoretical framework.

2.1. The Concept of Legislative Oversight

Youth Initiative for Advocacy, Growth & 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 (Omejec, 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 look into 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 behaviour. The description of oversight offered by PLAC agrees with those put forward by Oyewo (2007) and Madue (2012). To Oyewo (2007, p. 8), 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. Madue (2012, p. 434) 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 & Stapenhurst, 2007; Asimiyu, 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 (National Assembly) to hold the executive accountable. Explicitly, Section 4 (1)(2) of the Constitution vests it with the legislative powers of the Federation thus: “to make laws for the peace, order and good government of the Federation or any part thereof”. Notably, the Constitution sets out some basic oversight powers through which the parliament could apply accountability in government. Section 80 of the Constitution specifies the establishment of the Consolidated Revenue Fund of the Federation (CRFF) where the government deposits “all revenues or other moneys raised or received by the Federation” from which the government is expected to fund all the fiscal policies and projects from the CRFF. Nevertheless, any withdrawal from the CRFF by the executive requires legislative approval in line with Section 80 (2)(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 National Assembly and assented to by the President.

Besides, the Constitution also empowers the legislature to monitor the execution of fiscal policies through different mechanisms. First, Section 85 (4)(5) of the Constitution establishes the Office of the Auditor-General majorly to audit the accounts of the government and submit its report to the legislature for consideration. Second, the power vested on the National Assembly is to investigate allegations of malfeasances of government officials Section 88 (1)(a)(b) of the Constitution. It is a crucial accountability measure available to the National 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 & Fagbadebo, 2018). Thus, the core of legislative oversight over executive activities as a means 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 determine 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 88 (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.

Given the benefits inherent in the conduct of legislative oversight, Omotoso and Oladeji (2019) like Hamalai (2014) observed that in practice, committees perform their oversight functions through any of the following ways:

- a) **Investigation:** the National Assembly is vested with the powers to conduct an investigation into matters it has powers to make laws. The most powerful instrument of the legislature under the constitution is committee hearings and investigation into activities of the executive branch. Such hearings allow legislatures to appraise and acquaint themselves with the administration's plan of action.
- b) **Public Hearing:** This is the most outward manifestation of oversight activities of the National Assembly. This is when the National Assembly, through its committees calls on MDAs to give an account of how sums of money appropriated for programmes and projects were spent. Rightly so, the meeting is open to the public as the name denotes. Therefore, it allows the public to express their opinion on issues being considered by the legislative house.
- c) **Oversight Visit:** is machinery with which the legislative committees supervise and assess the activities of MDAs. Through such visits, the committees are able to observe the conditions of such MDA and physically inspect the projects being executed.
- d) **Budget Defence:** is a device through which the National Assembly carries out its oversight functions. A national budgetary proposal is usually made for the year succeeding each fiscal year, comprising of recurrent and capital financial allocation of all projects and activities of the MDAs of the government. The budget proposal is required by law to be presented to a joint sitting of the National Assembly by the President in what is called the *Budget Speech*.

The National Assembly in exercising its power of the purse invites the MDAs for budget defense.

- e) **Reports:** The National Assembly also maintains oversight over agencies of the executive indirectly by studying the report of the activities of such agencies. The essence is to ensure accountability in governance. In the event of an in fracture, the legislature as the bearer of the popular sovereign power is often the first to raise an alarm.

2.2. Committee System

The Fourth Republic was ushered in by the Constitution of the Federal Republic of Nigeria, 1999 (as amended). Since the inception of Nigeria's recent democratic experiment, different legislative assemblies have constituted different Committees. Section 62 (1) of the Constitution empowers the two Chambers of the Nigerian National Assembly, to establish different Committees to facilitate their legislative mandates. Also, the Standing Orders of both Chambers provide for the number of parliamentary Committees, which shall be created (Section 62 (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 National Assembly has the constitutional power to regulate its procedure (Section 60). Accordingly, the National Assembly is empowered to increase the number of Standing Committees as the need arises which is done by a resolution of the Senate or 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 reechoed by Asimiyu (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, p. 69). While it must be stated that plenary or regular sittings of the Legislature-National 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 (Asimiyu, 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. For example in Nigeria's 8th National Assembly, there were 69 and 97 Committees in the Senate and House of Representatives respectively. However, while the Senate maintained the number in the 9th Assembly, the House of Representatives saw the need to create more Committees to adequately cover the scope of its legislative manifesto.

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 accountable at all times. 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 National 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 National 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 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, & Vanberg, 2017; Raymond & Holt 2017). Beyond this, legislative Committees provide the avenue for public participation in routine legislative deliberations and activities (Hendrick & 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 & Fagbadebo, 2018).

2.3. Committee on Defence and Oversight

Caparini (2004) suggests that oversight of the security sector has become an established international norm. This, as transition democracies, has sought to reform their security sectors to dismantle the securitized bureaucracies and oversized security sectors previously responsible for sustaining authoritarian and totalitarian regimes. Also, post-conflict societies have sought to build security institutions to provide a foundation for a stable democratic polity. Security sector reform has become the means to such democratic ends, and an organizing principle for national, regional, and international organizations. Oversight of the Defence presupposes the active engagement of the parliament and its relevant committees and the security sector itself in formulating, implementing, monitoring, and reforming security policy. Indeed, the parliament can address shortcomings in policy frameworks.

As noted previously in this chapter, the concepts of oversight and legislative committees are constitutional matters (see sections 88, 89, & 62 of the 1999 Constitution as amended). On this note, the 8th Senate Committee on Defence was reconstituted as a standing committee of the Senate at its sitting on Tuesday, 3rd November 2015. The committee was created in the Standing Orders 2015 of the Senate. The committee was inaugurated alongside 11 other standing committees by the President of the Senate, Senator Abubakar Olubukola Saraki on Thursday, 19th November 2015. The mandate of the Committee is spelled out in Rule 95(1) of the Senate Standing Orders 2015 (as amended). The importance of the Senate Committee on Defence stems from the fact that security throughout the world has traditionally been defined in militaristic terms, but the spread of democratic principles of government and the acceptance of the broader, de-militarized and the more subtle concept of human security-crucially, of the provision of security as a public good-has supplanted the notion of security as an exclusive sphere dominated by military concerns.

However, since the activity of governance begins with lawmaking (Van Gestel, 2013), the place of the Senate Committee on Defence cannot be overstated. This is made all possible as legislatures depend on the smaller division of their members to conduct their affairs (Dan-Azumi, 2019). Therefore, carrying on in its miniature form, the Senate Committee on Defence pursues legislative targets set by the parent house within the pretext of the traditional roles of the legislature being lawmaking, representation, and oversight (Adegunde, 2016). Emphasizing the oversight function of the legislature which denotes watchfulness over the activities of the executive and its agencies, the Senate Committee on Defence employs a variety of mechanisms (see Omotoso & Oladeji, 2019; Hamalai, 2014 above) to monitor and evaluate the activities of agencies within its jurisdiction.

2.4. Challenges of Oversight in Nigeria

According to Omotoso and Oladeji (2019), the challenges confronting legislative oversight in Nigeria are as follows:

(i) Dysfunctional Democratic Culture

To Omotoso and Oladeji (2019), the hangover of military rule in Nigeria-evidenced from time to time connotes that Nigerian democracy is still far from being consolidated. This hangover is manifest in the application of basic democratic principles such as the rule of law, free and fair elections, and institutional accountability. This has resulted in the weakening of democratic culture, structures, and institutions. Thus, the legislature as a major institution of democracy has been impacted negatively thereby, attracting negative public perception. Ultimately, the executive treats the legislature with disdain (Egwu, 2005).

(ii) Political Culture of Corruption

Given the weakened nature of the legislative institution in Nigeria, corruption has become pervasive in Nigeria, itself a consequence of the several years of military rule. As noted by 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. The implication of this is that the outcome of such investigations cannot be objective.

(iii) Interference with Legislative Oversight Functions by the Executive

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 88 and 89 of the 1999 Constitution as amended). 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 two chambers. 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 (Thisdaylive, 2020, December 22nd). This denies citizens the dividends of good governance which is their entitlement.

(iv) Personal Interests of the Legislators

Omotoso and Oladeji (2019) argue that lawmakers of the legislative houses 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. Given its critical place in governance, Omotoso and Oladeji (2019) that this action of the national assembly has resulted in a situation where the state has failed state to move in the right direction and deliver necessary democratic goods.

Similarly, Fashagba (2009b) listed the constraints of legislative committees in the following ways:

(i) Ignorance of Members of the Executive Arm

In his case study of the Kwara State House of Assembly, Fashagba (2009b) alluded that members 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.

(ii) The Attitude of the Civil Servant or Policy Implementing Agencies toward Executing the Recommendations of Committees

Fashagba (2009b) posits that the civil servants, who were used to taking orders from the executive alone under the military regimes, have largely remained unattuned to the reality of the roles of the legislature under a democratic regime. The ripple effect of military rule in the psyche of Nigerians and institutions of governance was attested to by Omotoso and Oladeji (2019). To this end, Fashagba argued that recommendations to the ministries are left unattended. In some cases, the civil servants complain that their inability to implement recommendations made by legislative committees was due to a lack of directive from the appropriate arm of the executive (Fashagba, 2009b). This impacts the morale of members of committees negatively.

(iii) Meager Financial Resources available to Legislative Committees

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 government's project sites. The problem of non-availability of the fund has been blamed on the executive who was alleged to often deliberately starve the legislature of the funds required for the efficient performance of its responsibilities (Fashagba, 2009b). Therefore, in the absence of adequate financing of committees, it will be difficult to make the executive accountable.

(iv) The Godfather Factor

Elite recruitment into politics poses a challenge to the concept of legislative oversight. In a situation where power is distributed according to the dictates of a godfather, members of the legislature which in most cases are beneficiaries of such undemocratic acts are expected to give '*blind*' support to their benefactor (Fashagba, 2009b). Impliedly, any opposition or criticism

against an appointee of the godfather will be seen as an attack on the godfather. The implication of this is that the committees, being part of the larger assembly, are unable to dispassionately perform their oversight functions as the members hold allegiance to the godfather.

2.5. Empirical Review

The literature on the role of legislative committees in the oversight process abounds, however, only a few of them suffice for the present study. For instance, Fashagba's (2009a) study of *Legislative Oversight under the Nigerian Presidential System* which examined the extent to which the Nigerian legislature performed its oversight role is worthy of note. To Fashagba (2009a), 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. 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. 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 (2009b) pinpointed *The Roles of the Committee System in Enhancing Legislative Efficiency in Nigeria: The Case of Kwara State House of Assembly* that 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 (2009b), 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 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 of *Oversight Functions of the Legislature: An Instrument for Nation Building* 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 National 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.

Nevertheless, to underpin legislative behavior in the oversight process, Nwogwugwu and Ishola (2019) studied *Legislators and their Oversight Functions in Policy Implementation in Nigeria* examining the dynamics of elected representatives' performance of oversight functions in the policy implementation process by the executive in Nigeria adopting the qualitative research approach with the in-depth interview of fifteen legislators (eight senators and seven House of Representative members). Nwogwugwu and Ishola found that legislatures are critical institutions in making a democratic system function going by the assumptions that democratic governance is now a preferred system of government in many parts of the world. This sentiment reechoes the positions previously expressed by Yaqub (2004) and Arowolo (2010). Put succinctly, Nwogwugwu and Ishola (2019) noted the most important function of legislators as policy representation which requires the advancement of the interests of their constituents in the policy process. Also, they allude that lawmakers have the responsibility of representing society through the performance of oversight function. According to Nwogwugwu and Ishola, the oversight function enables legislators to ensure that the actions and spending of the agencies of the executive are in line with the constitutional allowance viz-a-viz legislative intent a notion further accentuated by the concern of the failure of targeted policies to achieve the desired objectives after

implementation. Given the objective of their study, the capability of the legislator to effectively discharge the burden of oversight is being called to question. Thus, Nwogwugwu and Ishola (2019) concluded that the major hindrances to the performance of oversight function which resulted in the near failure to effectively implement public policies in Nigeria are attributable to the interference by the leadership of political parties and the personal interests of the legislators.

In measuring the performance of legislative oversight in the present democratic dispensation in Nigeria, Omotoso and Oladeji (2019) studied *Legislative Oversight in the Nigerian Fourth Republic* focusing on the oversight function of the Nigerian National Assembly. Omotoso and Oladeji presented the legislative oversight functions of the National Assembly within the areas of the power to make approval, the power to conduct investigations, the use of impeachment as an instrument to guarantee good governance, supervision and monitoring of projects by the legislature, and the power to raise and control the spending of the public fund (budget). However, like many issues in Nigeria, Omotoso, and Oladeji (2019) like Arowolo (2010), found the challenges militating against the effectiveness of legislative oversight in the Fourth Republic to include dysfunctional democratic culture which they argued was still far from being consolidated, the endemic political culture of corruption, interference with legislative oversight functions by the executive in the guise of party sentiments, personal preferences of legislators driven by a variety of objectives, etc. These challenges, nonetheless, Omotoso and Oladeji concluded that to improve legislative oversight in Nigeria, the basic tenets of the principle of separation of power as provided in the 1999 Constitution should be observed and adhered to, the legislature should be guided by professionalism and be willing to abide by global best practices hence, should be able to distinguish between private and public interests, constitutional and/or legal teeth should be structured for effective and efficient legislative oversight, among others.

In a fitting disposition given the scope of this study, Sandra, Mohammed, and Nkweakwu (2020) studied *Legislative Oversight and the Enforcement of Budget Implementation in the Nigeria Army* examining the effect of the legislative oversight on budget implementation in the Nigeria Army. Sandra et al adopted the survey research design method using a target population of National Assembly committees, clerks/secretaries in both the Senate and House of Representatives. Explicitly, Sandra et al observed the powers conferred on the National Assembly under the provisions of this section are exercisable only to enable it to expose corruption, inefficiency, or waste in the execution or administration of laws within its legislative competence and the disbursement or administration of funds appropriated by it through the oversight function in the 1999 Constitution (Section 88 (2)(b)). Therefore, Sandra et al (2020) found that the conduct of oversight of the Nigerian Army has increased tremendously during the period of the study. Further findings revealed that legislative oversight has been effective in addressing the revenue shortfall in budget implementation in the Nigerian Army which is often augmented through virement. Therefore, Sandra et al recommended that; the committees on Army should sustain the effort of budget monitoring and evaluation of its oversight functions to increase the level of budget implementation in the Nigerian Army which is currently at 39%. Also, relevant committees on Army should always report and published legislative oversight committee reports to the Budget Office of the Federation as well as the Nigerian Army, and just as sustained legislative oversight effort would help in addressing revenue shortfall in budget implementation of the Nigerian Army.

2.6. Gap in Knowledge

It must be stated from the outset that the concepts of legislative oversight and the committee system are not new in the legislative studies literature. However, given the dynamic state of nature where things continue to evolve, there is the need to properly examine the performance of oversight by the Senate Committee on Defence (2015-2019). The studies reviewed above in most cases addressed the concepts in isolation, thus constituting a gap in the literature. Furthermore, mention was not made of the Senate Committee on Defence in specific. Even if it were, such a study did not cover the period of 2015-2019. On this premise, the present study seeing the gap in knowledge arising from the literature sought to fill the lacuna in the body of knowledge by studying the Senate Committee on Defence (2015-2019).

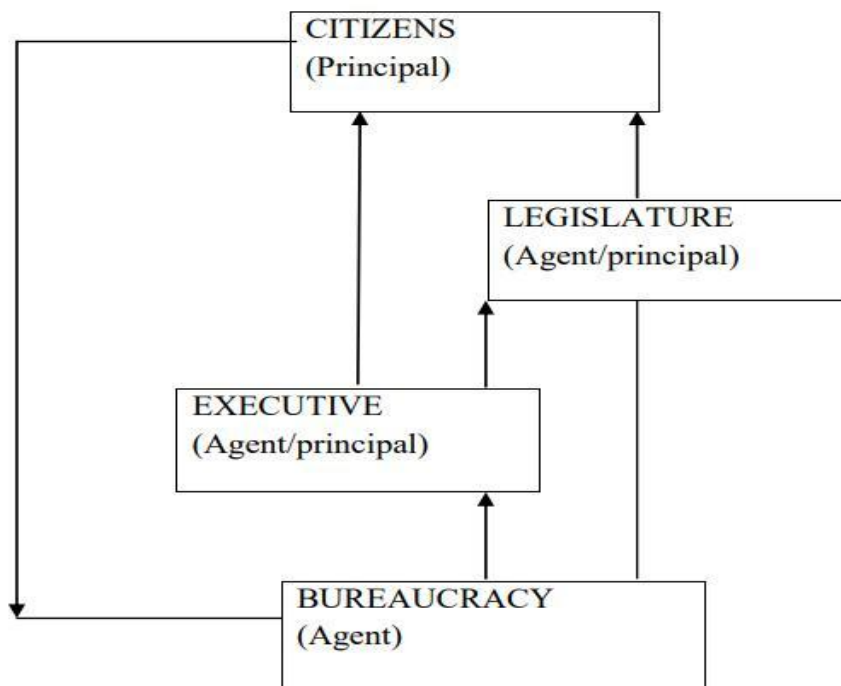
2.7. Theoretical Framework-Principal-Agent Theory

An agency relationship is established when one party (agent) is authorized by another party (principal) to act on his/her behalf (“Agency”, 1999). The “Agency” noted that such relationships are initiated when one party desires to extend his/her activities beyond his/her present limits or capacity. This is characteristic of representative democracy as against the participatory model, where citizens elect to extend their activities in the affairs of governance by electing representatives from among themselves. The agency theory was proposed by Jensen and Mecklin (1976) but has been employed in the American legislative discourse by Fukuyama (2004). The principal-agent relationship emphasizes the institutional mechanisms whereby principals can monitor and enforce compliance with their agents. This theory is particularly appropriate for explaining accountability relationship between citizens (as principals) and the executive and legislative (both as agents) on the one hand, and between the legislature (acting as principals, on

behalf of citizens) and both the executive and the bureaucracy on the other hand (as agents). The latter example clearly explains the suitability of this theory for this research. This is because the legislature by convention has been given the constitutional rights to monitor (on behalf of the citizens) the actions of the executive and its agencies.

In explaining public behaviour, Fukuyama (2004) pointed out that above all actors, the public (citizens) represent the ultimate principals. In a democracy, their first-level agents are their elected representatives; the legislators act as principals concerning executive branch agents delegated to carry out the policies that they have legislated. This relationship is represented diagrammatically as shown below:

Figure 2.1: Adaptation of the Agency Theory in Legislative Oversight



Source: Asimiyu (2018)

However, Fukuyama (2004) listed three problems that arise in applying the principal-agent model to public sector governance. First, the goals of public sector organizations are often unclear. Agents can only carry out the will of the principals if the principals are clear in what they want the agents to do. Second, formal systems of monitoring and accountability either entail very high transaction costs or lack the specificity of the underlying activity. And third, the appropriate degree of delegated discretion will vary over time. He noted, therefore, that due to these challenges, information asymmetry is created because, the bureaucracy has more information than the legislature and executive combined (as principals); the executive (as agents) have more knowledge than the legislature or citizens (as principals); in the same manner, the legislature (agent) has more knowledge than citizens (as principals).

Nonetheless, these identified weaknesses do not diminish the importance of the principal-agent model to legislature-executive relations. On the contrary, it has engineered the development of a set of mechanisms that help the legislature (as principals, however, on behalf of the citizens) to perform its 'watchdog' function over the executive (agents). These sets of mechanisms are referred to as 'Legislative Oversight Tools' which have been discussed. Hence, its selection as the theoretical framework for this study.

CHAPTER THREE

METHODOLOGY

This chapter describes how data and information were obtained. Components of a research methodology are as follows: research design, the population of the study, sampling procedure, sample size, research instrument(s), and method of data analysis, etc.

3.1. Research Design

This study adopted the mixed research design, i.e., 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 the sessional reports of the Senate Committee on Defence for qualitative data.

3.2. Sources of Data

This study accommodated both primary and secondary sources of data.

Primary data

Primary data was sourced through the use of questionnaires administered to staff of the National Assembly, Ministry of Defence and Defence-related agencies, and Civil Society Organizations (CSOs). The questions on the questionnaire were framed to reflect the objectives contained in section 1.3.

Secondary data

Secondary data were sourced from official publications of the National Assembly, sessional reports of the Senate Committee on Defence, 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. Study Area

The study area is the National Assembly, Abuja. The National Assembly is Nigeria's bicameral legislature established under Section 4 of the Constitution of the Federal Republic of Nigeria, CFRN (1999, as amended). It is made of 469 members. The National Assembly was chosen because the Committee being examined-Senate Committee on Defence, holds jurisdictional mandate over a matter in the exclusive legislative list.

3.4. Population of the Study

A population is the total collection of elements from which inference is drawn. The population for this study was the Ministry of Defence and its Agencies (1, 250), Civil Society Organizations (CSOs) with a defence-related mandate (45), and the National Assembly (105). The total population is 1, 400.

3.5. 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.

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

Where: n = corrected sample size =?

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

N = population size

$$\begin{aligned} \text{Hence, } n &= \frac{1400}{1 + 1400(0.05)^2} \\ &= \frac{1400}{1.07} \\ &= 1400_{4.5} \\ &= 311.111 \\ &\approx 311 \\ \therefore n \text{ (sample size)} &= 311 \end{aligned}$$

Therefore, the sample size for the study was 311.

3.6. Survey Instrument

The research instrument that was used is questionnaires. The questions on the questionnaire were drawn to reflect the objectives in section 1.3.

3.7. Method of Data Analysis

Quantitative and qualitative methods were used for the analysis of data, i.e., 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 were deployed in the analysis of qualitative data.

3.8. Limitations to the Methodology

Like in most human endeavours, this study faced several limitations according to its scope in section 1.5. Given its scope of analysis which is the Senate Committee on Defence, there could not have been a more suitable analytical scope than a subject matter that bothers on peace even though an oversight assessment study of other committees would have been appropriate. As appropriate as the study of the Senate Defence Committees in the Fourth Republic would have been, loss of data restricted the time scope of this research to the 8th Senate which is the period between 2015-2019. Based on the choice of the National Assembly depicting the scope of geography, a study of committees of State Houses of Assembly could not be undertaken because of their largely dependent nature on state executives which prompted the issuance of Executive Order 10 by the President (Premium Times Nigeria, 2020, May 23rd).

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS, AND DISCUSSION

This chapter presents and analyzes the data obtained in the course of the research. Given the research methods adopted in chapter three-sampling procedure and sample size (see section 3.5), out of the three hundred and eleven (311) administered to respondents, only three hundred and eight (308) were returned filled. This summary is contained in Table 4.1. Besides, data would be presented thematically according to the objectives in section 1.3.

Table 4.1. Summary of Questionnaire Administration

S/N	STATUS OF QUESTIONNAIRE	FREQUENCY	PERCENTAGE (%)
1	Questionnaires returned	308	99.04
2	Questionnaires not returned	3	0.96
3	Total	311	100.0

Source: Fieldwork, January 2021.

4.1. Social Demography of Respondents

The social demographic characteristics identified from the respondents were discussed under the following headings, namely: gender, age bracket, educational qualification, and place of work. On this note, 53.6% of the respondents were females while 46.4% were males (see Table 4.2). Given the usual constitution of the African society where patriarchal mentality holds sway (Oluyemi, 2016), the majority composition of respondents in such offices is commendable. However, this may be attributed to the commitment of the Federal Government to achieve equality for all gender by 2035 (Sustainable Development Goal 16 [SDG 16]).

Table 4.2: Gender of Respondents

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid MALE	143	46.4	46.4	46.4
FEMALE	165	53.6	53.6	100.0
Total	308	100.0	100.0	

Source: Fieldwork, January 2021.

The respondents in Table 4.2 shared the age brackets as follows: 10.7% (18-28 years), 21.4% (29-39 years), 39.3% (40-50 years), and 28.6% (51 years and above). The age composition of the population shows the youthful as well as the experienced disposition of the respondents (see Table 4.3).

Table 4.3: Age Bracket of Respondents

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 18-28	33	10.7	10.7	10.7
29-39	66	21.4	21.4	32.1
40-50	121	39.3	39.3	71.4
51 AND ABOVE	88	28.6	28.6	100.0
Total	308	100.0	100.0	

Source: Fieldwork, January 2021.

The job description of the target population demands a considerable level of literacy and rightly so, 46.4% of the respondents have degree certificate in various disciplines, 32.1% has postgraduate certificates, while 21.4% have Higher National Diploma (HND) results. Given the sampling technique adopted for this study is random sampling which denotes the probability of

members of the population to be selected, it can be said that the population for this study is educated. This is shown in Table 4.4.

Table 4.4: Educational Qualifications of Respondents

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid OND/HND	66	21.4	21.4	21.4
DEGREE	143	46.4	46.4	67.9
POSTGRADUATE	99	32.1	32.1	100.0
Total	308	100.0	100.0	

Source: Fieldwork, January 2021.

The specific size distributions across the population show that 53.6% of the respondents are staff of the Ministry of Defence and its agencies, 32.1% are staff of the National Assembly, while 14.3% are members of the Civil Society. According to the Defence Committee Sessional Report, Senate (2020), apart from the Ministry of Defence, agencies under the jurisdiction of the Senate Committee on Defence include the Defence Intelligence Agency (DIA), Defence Research and Development Bureau (DRDB), among others, therefore, it is no doubt that the majority of the respondents are staff of the Ministry of Defence/Defence-related agencies given the staffing demanded the optimal functioning of a such number of agencies. Also, the Department of Statistics, National Assembly (2019) put the staff strength of the National Assembly as 5, 615. Hence, the number of respondents may be a reflection of its numerical composition. In the same vein, the Civil Society Organizations (CSOs) cannot be said to possess as much staff strength as the National Assembly or the department and agencies of the executive thus, accounting for the number of respondents taken from its pool. See table 4.5 for the responses.

Table 4.5: Staff Distribution between the Population

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid MEMBERS AND STAFF OF THE SENATE COMMITTEE ON DEFENCE	99	32.1	32.1	32.1
MINISTRY OF DEFENCE OR DEFENCE AGENCY	165	53.6	53.6	85.7
CIVIL SOCIETY ORGANIZATIONS	44	14.3	14.3	100.0
Total	308	100.0	100.0	

Source: Fieldwork, January 2021.

4.2. Extent to which the Senate Committee on Defence Carried out its Oversight Function

The Senate Committee on Defence is one of the standing committees of the 8th National Assembly. The committee was reconstituted as a standing committee of the Senate at its sitting on Tuesday, 3rd November 2015 according to section 62 (1) of the 1999 Constitution (as amended). The committee was created in the Standing Orders 2015 of the Senate. The committee was inaugurated alongside 11 other standing committees by the President of the Senate, Senator Abubakar Olubukola Saraki on Thursday, 19th November 2015. The Senate President in his inaugural speech, charged the committee to develop and implement a series of programme and legislative interventions to revitalize the Defence Sector. The mandate of the Committee as spelled out in Rule 95(1) of the Senate Standing Orders 2015 (as amended), the Committee was charged with performing the following functions otherwise known as jurisdictions: payment, promotion, retirement, and other benefits and privileges of members of the Army; Defence Headquarters. Ammunition Depots, Forts, Arsenal Reservations and Establishments; Scientific research and development in support of Army; Barrack projects; Military application of nuclear energy;

Disarmament; Army Cadets; Resettlement Scheme for serving officers of the Army; war graves monuments; and memorabilia; peacekeeping operations; and Annual budget estimates.

However, it must be stated that the term '*extent*' as employed in this context measures degree or frequency and delimitation. With this in mind, the Defence Committee Sessional Report, Senate (2020) recorded that the extent the Senate Committee on Defence carried out its oversight function within the period being studied (2015-2019), denoted visit to institutions within the country, i.e., Ministry of Defence (MOD), Defence Headquarters (DHQ), Nigerian Defence Academy (NDA), Defence Research and Development Bureau (DRDB), Defence Industries Corporation of Nigeria (DICON), Armed Forces Command and Staff College (AFCSC), National Defence College (NDC), Defence Space Agency (DSA), Defence Intelligence Agency (DIA), Military Pensions Board (MPB), Nigerian Armed Forces Resettlement Centre (NAFRC). Within context, the frequency of oversight should be measured for any meaningful impact on governance outcome. On this note, 64.3% of the respondents stated that the Senate Committee on Defence visited their agency "sometimes", 21.4% others said that the visit of the committee was "often", while the remaining respondents (14.3%) noted that the Senate Committee on Defence never visited their agencies (see Table 4.6).

Table 4.6: Frequency of the Senate Committee on Defence Oversight Visits

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid NEVER	44	14.3	14.3	14.3
SOMETIMES	198	64.3	64.3	78.6
OFTEN	66	21.4	21.4	100.0
Total	308	100.0	100.0	

Source: Fieldwork, January 2021.

Although oversight visit is not the only tool available to legislative committees in the pursuit of their oversight mandate, it must be stated that committees have learned to imbibe the culture of the on-the-spot assessment of events hence, resulting in the renowned use of visits as an oversight tool. In fact, Table 4.7 presents a summary of the oversight activities of the Senate Committee on Defence within the period under review.

Table 4.7: Oversight Activities of the Senate Committee on Defence (2015 – 2019)

S/N	Oversight Mechanism	2015 – 2016	2016 – 2017	2017 – 2018	2018 - 2019
1	Meetings			12	5
2	Oversight Visits			1	1
3	Public Hearing				1
4	Budget Hearing	1	1	1	1
5	Investigative Hearing				1
6	Bill Referral		1	1	1
7	Other Referral (Motions)			1	2
8	Screening of Government Nominees	0	0	0	0

9	Interactive Sessions with MDAs	0	0	1	1
10	Question	0	0	0	0
11	Public Reflection	1	1	2	2

Source: Defence Committee Sessional Report, Senate (2020)

Item 1-3 in Table 4.7 shows that there were no activities from 2015-2017. An attempt to ascertain the reason for the lack of activities from 2015-2017 was not successful. However, it can be assumed that the increased tempo of activities by the Senate Committee of Defence from 2017-2019 can be attributed to the rising security challenges across the country. Ultimately, legislative oversight is designed to enhance accountability in governance. Therefore, it matters less what oversight tool was used rather, emphasis, however, remains on its impact on governance in general. Given this need, 14.3% of the respondents stated that the oversight visits were “useful”, 60.7% noted that it had “some impact”, whereas 25.0% thought it was “not useful”. Even though the views expressed by respondents may be correct in their rights, the Defence Committee Sessional Report, Senate (2020) alluded that the Senate Committee on Defence made only two (2) oversight visits between 2015-2019 (see Table 4.7) thus, calling to question the majority response on the frequency of oversight visits. This, notwithstanding, cognizance must be taken of the fact that respondents were drawn from within and outside the Senate Committee on Defence (including Defence-related agencies as well as Civil Society Organizations [CSOs]).

Table 4.8: Grading the Senate Committee on Defence Oversight Visits

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid USEFUL	44	14.3	14.3	14.3
SOME IMPACT	187	60.7	60.7	75.0
NOT USEFUL	77	25.0	25.0	100.0
Total	308	100.0	100.0	

Source: Fieldwork, January 2021.

4.3. Performance of Oversight Function by the Senate Committee on Defence in the 8th Assembly

Parliamentary oversights are often conducted by Committees, which by design are a miniature assembly. According to the Defence Committee Sessional Report, Senate (2020), the Senate Committee on Defence discharged its oversight responsibilities within the period under review covering issues on security and Defence as it engaged stakeholders across the sector. Hence, it is pertinent to note that the discharge of the oversight mandate of the Committee was assessed using various oversight tools. This is shown in Table 4.8. A summary of the content of Table 4.8 depicts that the 8th Senate Committee on Defence had a total of 17 meetings, i.e., 12 and 5 meetings within the periods of 2017-2018 and 2018-2019 respectively. Between 2017 and 2019, the committee made 2 oversight visits while it had just a public hearing in 2018-2019. However, given that the activities of government begin with lawmaking, the Senate Committee on Defence had 4 budget hearing sessions between 2015-2019 representing the number of years in a legislative span. Furthermore, whereas the committee had 6 referrals including motions from 2016-2019, it held 2 interactive sessions with MDAs under its jurisdiction. Finally, the Defence Committee had

6 public reflection sessions; 1 each for the periods 2015-2016 and 2016-2017, and 2 each for 2017-2018 and 2018-2019 separately (See Table 4.7).

However, the effectiveness of the oversight activities of the Senate Committee on Defence can be measured using its meetings, oversight tours/visits, public hearings, etc. Given this, Table 4.9 contains the meetings held by the Committee between 2015-2019.

Table 4.9: Meeting Records of the Senate Committee on Defence (2015-2019)

S/N	MEETINGS	DATES
1	Meeting with Officials of Centre for Democratic Control of Armed Forces Geneva	Wednesday 5 th July 2017
2	Meeting: Armed Forces Bill and Budget Consideration	Wednesday 8 th November 2017
3	Meeting to discuss the modalities of the Committee's proposed Oversight visits	Tuesday 23 rd January 2018
4	(i)The Committee considered the Year 2018 Budget update, (ii)Armed Forces (Restriction on the use of Arms in certain Internal Security Operations, etc.) Bill, 2017 (iii)Motion on Influx of Refugees from the Republic of Cameroon to some Border Communities in Cross River State and attendant Security fallouts	Wednesday 21 st February 2018
5	The year 2018 Budget Consideration	Wednesday 28 st February 2018
6	Invitation to the Hon. Minister of Defence in Respect of the Influx of Refugees from the Republic of Cameroon to some Border Communities in Cross River State and its Attendant Security fall-outs	Thursday 1 st March 2018
7	Consideration of Draft Report on Ministerial Briefing	Tuesday 13 th , March 2018
8	Meeting to discuss the modalities of the Committee Oversight	Tuesday, 23 rd January 2018
9	Meeting of the Committee to consider a Budget update, use of Arms Restriction and Motion on Influx of Refugees	Wednesday, 21 st February 2018
10	Budget Consideration	Wednesday, 28 th February 2018

Brief by the Hon. Minister of Defence in respect of the influx of refugees from the Republic of Cameroon to some border communities in Cross River and its attendant Security Fallout. Thursday, 1st March 2018

12	Consideration of the Draft Report on the Ministerial Briefing	Tuesday, 13 th March 2018
13	Consideration on Defence Research and Development Bureau (DRDB) Establishment (etc) Bill, 2018 (SB.623)	Thursday, 11 th October 2018
14	Consideration of DRDB Establishment Bill and National War College Act Cap N*@LFN 2004 (Amendment) Bill, 2018 (SB. 551)	Tuesday, 16 th October 2018
15	Public Hearing on Defence Research and Development Bureau and National War College Amendment Bill	Tuesday, 6 th November 2018
16	Consideration of the report of the Public Hearing on DRDB and Deliberation on the programme for the 2018 oversight visit to Defence Institutions in Abuja, Kaduna, and Lagos.	Thursday, 15 th November 2018
17	Public hearing to Investigate the Invasion of Federal Capital Territory Indigenes' Land around Nnamdi Azikiwe International Airport by Monday, 29 th Nigerian Army.	April 2019

Source: Defence Committee Sessional Report, Senate (2020)

Explicitly, as part of the Senate Committee on Defence proposed plan of action at its inception, the Senate Committee on Defence amongst other important issues discussed, resolved to embark on series of in-house deliberation sessions with the Ministry, Agencies, Parastatals, Institutions and related Stakeholders and to partner with the Media and Civil Societies Organisations (CSOs) for a comprehensive understanding of the Nation's national security covering budget, oversight, decision-making processes, management and control of State activities and functions in the Security Sector. On this note, the Committee invited the Honorable Minister of Defence and the CEOs/DGs of the various Agencies for series of meetings. They presented individual briefs to the Committee on activities of their Organisations from inception till date especially those directly under the Committee's jurisdiction (Defence Committee Sessional Report, Senate, 2020). The Committee had baseline sessions with them and a lot of insight was drawn from the deliberative sessions which armed the Committee with first-hand knowledge of

the workings of the various Agencies. These sessions were geared towards ensuring the democratic security sector oversight which is a part of the democratic governance of the security sector. In fact, with this initiative, democratically elected or appointed authorities, civil society, the media, and the public oversee the policies and activities of the security institutions responsible for the Defence of the State and the security of the population.

Also, public hearings which constitute a tool of oversight was deployed by the Senate Committee on Defence. The public hearing entertained verbal submissions, memoranda, and testimony from members of the public, experts, and other stakeholders, on matters under consideration by the committee hence, it is denoted as ‘public’ because it is open to public attendance and viewing. Specifically, the Committee held a well-attended public hearing held on Tuesday, November 6th, 2018 at Senate Conference Room 022, Zero Floor, Senate New Building, National Assembly Complex, Abuja to consider the enactment of *Defence Research and Development Bureau (DRDB) and the National War College (Amendment) Bill 2018. [SB. 551]* (Defence Committee Sessional Report, Senate, 2020). The Public Hearing was declared open by the President of the Senate ably represented by the Senate Leader, Distinguished Senator Ahmed Lawan. In the same vein, the Senate inaugurated an ad-hoc committee to investigate *The Invasion Of Federal Capital Territory Indigenes’ Land Around The Nnamdi Azikiwe International Airport By the Nigerian Army* on Tuesday, 16th April 2019. The investigative hearing had in attendance Nigerian Army, Federal Capital Territory Administration, Ministry of Defence, Nigeria Police Force, Department of State Security Service, the National Security Adviser, the coalition of FCT Indigenous Associations, Chairmen of Area Councils within the FCT, Traditional Rulers of affected Communities, among others (Defence Committee Sessional Report, Senate, 2020).

Nevertheless, given that legislative oversight is geared towards performance enhancement in governance, 39.3% of respondents noted that the performance of oversight activities by the Senate Committee on Defence was “effective”, 42.9% argued that the performance of oversight activities within the period under review was “average”, 7.1% others noted that it was “ineffective”, while 10.7% opined that the performance of oversight activities by the committee was “very ineffective”. See Table 4.10 for their responses.

Table 4.10: Assessing the Performance of Oversight by the Senate Committee on Defence

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid EFFECTIVE	121	39.3	39.3	39.3
AVERAGE	132	42.9	42.9	82.2
INEFFECTIVE	22	7.1	7.1	89.3
VERY INEFFECTIVE	33	10.7	10.7	100.0
Total	308	100.0	100.0	

Source: Fieldwork, January 2021.

4.4. Challenges Affecting the Committee in the Discharge of its Functions

From the responses given by respondents on the challenges confronting the Senate Committee on Defence in the discharge of its oversight functions, an analysis of the findings categorizes these challenges into two folds, that is, those peculiar to the committee, its staff and members, and the challenges relative to the executive agencies. Nonetheless, it must be stated from the outset that in some cases, some of the challenges apply both to the committee and respective executive agencies, e.g., executive-legislative relations. With this in mind and given the method of analysis adopted for qualitative data being the content analysis, remarkable responses which

would be quoted verbatim, would be marked as R₁, R₂, R₃, ... R_n to emphasize the arguments laid out in the responses.

4.4.1. Executive-Legislative Relations

Fashagba (2009b, p. 441) decried the impact of executive-legislative relations on the performance of legislative oversight when he lamented that “one major constraint hampering the effectiveness of legislative committees in Kwara State is the ignorance of members of the executive arm”. Even though Fashagba may have based his study on the Kwara State House of Assembly, there is a consensus among legislative studies scholars that in presidential jurisdictions executive-legislative relations which could be constructive or conflictive (Rockman, 1983), can slow or enhance governance. To illustrate, Fashagba (2009b) concluded that Ministries, Departments, and Agencies (MDAs) which consider invitations by the legislature an interference in the work of the ministry, reports such *‘interference’* to the chief executive who then employs *‘diplomatic’* means to undermine the function of the legislature to effectively undertake its oversight responsibility. On this note, Fashagba (2009a) attributed the inclination of the chief executive to undermine the oversight capacity of the legislature to the role of some executive players in the emergence of presiding/principal officers. According to Fashagba (2009a), the implication of this on the performance of legislative oversight was that the imposed leaders were incapable of opposing their benefactor (the executive) who, in fact, deliberately sponsored and installed individuals considered amenable to executive manipulation and control. However, where the legislature attempts to assert its oversight mandate, conflict may ensue. Thus, Fashagba (2009a) stated that the oversight function regarding public funds has often been the main source of executive and legislative conflict.

4.4.2. Lust for Money

Even though the Commonwealth Parliamentary Association [CPA] (2002, p. 10) opined that “committees are an important oversight mechanism in providing timely deterrence to lapses in the governing process”, Fashagba (2009a) argues that the Nigerian legislators have at various times colluded with public servants to share Ministries, Departments, or Agency’s funds and/or other resources thus, resulting in the dereliction of the oversight function of the National Assembly. For instance, the chairman of the Presidential Advisory Committee on Anti-Corruption (PACAC), Professor Itse Sagay, alleged that they ask for gratification before embarking on oversight functions to Ministries, Departments, and Agencies [MDAs] (Vanguard Nigeria, 2019, November 22nd). Though this claim could be said to be unsubstantiated, nevertheless, it would be unethical of someone of his stature (given the present position) to make such accusations hence, further accentuating the probability of truthfulness in his allegation. Similarly, Omotoso and Oladeji (2019) posited that that legislators in the discharge of their oversight duties are more interested in financial gains than ensuring good governance through such duties. The implication of this is that investigation into any issue bothering on governance cannot be subjected to thorough scrutiny so long as the MDAs concerned knows how ‘to settle’. In the long run, this action of unpatriotic lawmakers hampers oversight objectives thereby enthrone malfeasance in governance.

4.4.3. Inadequate Financial and Material Resources

Financial and material resources constitute a challenge to the performance of legislative committees in general. The issue of funding during oversight was identified as a major challenge. The lack of funds for oversight duties leaves lawmakers vulnerable to the influence of agencies that might want to fill the gap by providing the necessary funds. The risk of compromise is high

when the agency under the oversight influence of the relevant committee of the National Assembly undertakes or takes care of the logistical, accommodation, and transport bills of the lawmakers. Fashagba (2009b) concurred with this position when he alluded that committee oversight functions are hampered by the meager financial resources available for the enormous task they handle. 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.

4.4.4. Non-involvement of Civil Society Organizations (CSOs)

Civil society is often considered to be an important, but informal, mechanism of public oversight and accountability of security sector institutions. Civil society is a crucial agent for empowering people, enforcing political accountability, and improving the quality and inclusiveness of governance. Civil Society Organisations (CSOs) can play a role in the democratic control of various security sectors. From the account of the Defence Committee Sessional Report, Senate (2020), no mention was made of a CSOs involvement in all aspects of legislative oversight especially oversight visits. Given that public confidence in the security sector is vital for the creation and maintenance of strong and independent democratic institutions, the engagement of credible civil society organizations (CSOs) in the security policy domain strongly contributes to accountability and good governance. However, fully-fledged civilian oversight and civil participation in relevant processes are often met with institutional and political resistance by members of the security sector under the pretext of security concerns (Caparini, 2004).

4.4.5. Lack of Oversight Performance Evaluation Mechanism

Performance evaluations, which provide an opportunity to assess the performance of legislative committees in the discharge of their oversight mandate to the National Assembly, are essential to enhancing legislative output. The benefits of performance evaluations cannot be overstated. When done as part of a performance evaluation system that includes a standard evaluation form, standard performance measures, guidelines for delivering feedback, etc., performance evaluations can enforce the acceptable boundaries of performance, promote enthusiasm and effective commitment to duty. Such legislative oversight performance evaluations which are often done using acceptable benchmarks like those advanced by the Inter-Parliamentary Union (IPU), Commonwealth Parliamentary Assembly (CPA), National Democratic Institute for International Affairs (NDI), among others if inadequate, ruins the prospect of self-accountability. The outcome is then seen in the unbridled quest for self-aggrandizement on the part of lawmakers and lackadaisical attitude towards oversight activities.

4.4.6. Training Needs for Staff and Members of the Committee

There is a consensus both in the legislative literature and field data that there is a dearth of aptitude within the committee. For example, those without competency or expertise in econometrics and statistics head sensitive Committees such as the Finance Committee this, according to Nwosu (2014) results in policy summersault at the end of investigations. This concern is further heightened by the poor understanding in the core area of service and improper placement of most committee clerks which gives rise to deficient performance. Also, Hamalai (2014) argued that discipline or specializations do not count in the placement or assignment of clerks to committees. These positions further buttressed the opinion expressed by Fashagba (2009a) when he averred

that oversight has been hampered in Nigeria due to the dominant number of inexperienced legislators at all levels of government. For emphasis, Fashagba noted that in the three consecutive elections held in Nigeria between 1999 and 2007 most legislators were elected for the first time. These have telling effects on legislative oversight as it can be said and rightly too, that such lawmakers and staff of the committee are misfits for the committee.

4.4.7. Inadequate release of funds to Ministries, Departments, and Agencies (MDAs)

Most often than not, legislative oversight harps on the use of government resources for the good of the citizens. Where these bothers on the implementation of policies, programmes, or projects which involve finances, there is little a committee can do to enhance the fortune of oversight. This is because, given the revenue and expenditure ceilings for the year set by the government, in an event of a revenue shortfall, budgetary releases to the MDAs are trimmed down to reflect present realities. This is further accentuated by the nonviability of MDAs just as the Director-General of Budget Office, Ben Akabueze, while addressing the Senate Committee on Public Accounts disclosed that over 428 agencies would not be able to pay workers in November except the federal government used the Service Wide Vote to mitigate the shortfall (Nigerian Tribune, 2020, November 10th). Literary, in an absence of policy, programme, or project execution, there is nothing to oversee by respective legislative committees.

4.4.8. Non Implementation of Oversight Recommendations

The administration of state affairs in a manner better described as “*friendly*” impairs oversight outcomes. Agbedi, Allen, and Ukachikara (2020) allude that this situation is an offshoot of political party dominance. According to Agbedi et al., the dominance of one political party in both institutions of government (Executive and National Assembly) poses danger to oversight activities.

On this note, loyalty to the party in power influences the behaviour of legislators, in matters of oversight duties. This manifests in the failure of lawmakers to openly criticizing the day-to-day activities of the government in which case, opposing voices are termed disrespectful. To illustrate, Honourable Kingsley Chinda was threatened with suspension for calling for the impeachment of the President due to the failing security structure in the country (Thisdaylive, 2020, December 22nd). Therefore, this results in the abandonment of oversight recommendations/reports since loyalty is to political parties and not the Constitution of the Federal of Nigeria.

4.5. Discussion of Findings

The findings were discussed according to the objectives in chapter one.

4.5.1. Examine the extent to which the Senate Committee on Defence carried out its oversight function within the period under study

It is no doubt that oversight is a tool for enhancing democratic governance. Within the context of the constitutionally assigned roles of the respective arms of government in Nigeria, an assessment of the performance of oversight by Committees of the National Assembly becomes pertinent. However, to measure the extent to which the committee carried out its oversight function, the Defence Committee Sessional Report, Senate (2020) recorded that the extent denoted visit to institutions within the country, i.e., Ministry of Defence (MOD), Defence Headquarters (DHQ), Nigerian Defence Academy (NDA), Defence Research and Development Bureau (DRDB), Defence Industries Corporation of Nigeria (DICON), Armed Forces Command and Staff College (AFCSC), National Defence College (NDC), Defence Space Agency (DSA), Defence Intelligence Agency (DIA), Military Pensions Board (MPB), Nigerian Armed Forces Resettlement Centre (NAFRC).

4.5.2. Assess the performance of oversight function by the Senate Committee on Defence in the 8th Assembly

Oversight aims to, protect the right of citizens by curbing excesses of government, determine the extent of compliance with constitutional and statutory directives, prompt the National Executive authority to report (through annual reports, national and departmental budgets) on compliance with constitutional and statutory directives, detect waste within government and public agencies, improve transparency and enhance public trust in government, etc. hence, at the public hearing to consider the enactment of *Defence Research and Development Bureau (DRDB) and the National War College (Amendment) Bill 2018. (SB. 551)* (Defence Committee Sessional Report, Senate, 2020), the Committee and the Stakeholders were all in agreement with the draft Bill and gave it received full support. According to submissions made, the establishment of the Bureau will provide a veritable platform for coordination and control of military hardware leading to the establishment of the military-industrial complex in Nigeria while providing a legal framework for the recognition, encouragement, and licensing of private entrepreneurs with a bias for research and production of military hardware. The bill was subsequently passed on the 24th of January 2019.

Similarly, the investigative hearing on the alleged invasion of the FCT land by the Nigerian army by the Ad-hoc Committee advised the Nigerian Army in the interest of peace and Military-Civil co-existence, to suspend action on the land in contention along the Giri-Zuba axis pending the conclusion of the High-Level Committee work set up by the President of the Federal Republic of Nigeria. In the course of performing its oversight function, the Senate Committee on Defence considered a referral letter of *Ref: NASS/8S/R/03/10L.1/927* on the “*Influx of Refugees from the Republic Of Cameroon to Some Border Communities in Cross River State and Its Attendant Security Fallout*” (Defence Committee Sessional Report, Senate (2020). In considering this

referral, the Committee received representatives of the Minister of Interior, Chief of Army Staff, Chief of Naval Staff, and Inspector General of Police. The Motion received inputs from these Stakeholders. Among other things, the committee called on the Immigration Department to take cognizance of Nigerians crossing over to Cameroon and vice-versa. Subsequently, the committee laid the report of its findings in the plenary.

4.5.3. Identify the challenges that have affected the Committee in the discharge of its functions

In the course of its oversight activities including tours around the zones in the country, the Committee discovered that conflictive executive-legislative relations, the inadequate release of funds to MDAs, non-implementation of oversight recommendations, training needs for staff and members of the committee, etc., as the bane of efficient performance of oversight activities by legislative committees.

CHAPTER FIVE

SUMMARY, CONCLUSION, AND RECOMMENDATIONS

This chapter covers the summary of the research, conclusion based on its findings as well as recommendations aimed at mitigating identified challenges.

5.1. Summary

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 evaluated the performance of the oversight activities of the 8th Senate Committee on Defence in the administration of the Defence Sector. Specifically, it: examined the extent to which the Senate Committee on Defence carried out its oversight function within the period under study, assessed the performance of oversight function by the Senate Committee on Defence in the 8th Assembly, identified the challenges that have affected the Committee in the discharge of its functions, and recommended ways that would improve the committee in the performance of its oversight functions.

To achieve these objectives, the study adopted the mixed research design thus, relying on quantitative and qualitative data. Data was, therefore, taken from primary (administration of questionnaires) and secondary (official publications of the National Assembly, journal articles, magazines, internet, the sessional reports of the Senate Committee on Defence, etc.) source. The prose and descriptive methods were employed for the analysis of qualitative data, while the Statistical Package for the Social Sciences (SPSS) was used to analyze quantitative data which were presented using simple frequencies.

The analysis of the findings was presented thematically according to the specific objectives of the study stated in section 1.3. Explicitly, the social demographic characteristics of the population were laid out reflecting the three hundred and eleven (311) questionnaires that were returned. Thereafter, the extent of the performance of the oversight function by the committee which connotes the delimitation or jurisdiction of the committee's mandate was stated. Given this, a numerical presentation of the performance of the oversight mandate by the committee using various oversight tools was presented. Thus, the record of its oversight function was presented. However, in the course of its oversight tours around Defence infrastructures/formations in the country, the Committee discovered that non-release and inadequate releases of funds have impacted negatively on the operational plans of the Ministry, the lack of equipment to successfully execute the war against insecurity in the country, etc. In the same vein, the study found that the lust for money, lack of oversight performance evaluation mechanism, conflictive executive-legislative relations, noninvolvement of CSOs in the oversight process, among others militated against the performance of oversight by the committee.

Nevertheless, the study concluded that the active involvement of Civil Society Organizations (CSOs), resolving financial and material constraints peculiar to the committee and executive agencies, constructive executive-legislative relations, etc., would improve the performance of the Senate Committee on Defence in the future.

5.2. Conclusion

Borrowing the words of Fashagba (2009b), 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 appears to promote 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 enthroning 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.

The above situation notwithstanding, the Senate Committee on Defence has undoubtedly discharged its oversight mandate, but not without pockets of such tendencies cropping up from time to time. This is, at best attributed to human nature which cannot be divorced from such inanities. Since governance is often at the centre of legislative representation, it is important to implement the recommendations contained in this study to enhance the effectiveness of the oversight function of the Senate Committee on Defence especially, seeing that for good governance to exist, matters relating to Defence must be taken seriously.

5.3. Recommendations

In the light of the challenges identified in section 4.4 above, this study recommends the following as measures to improve the committee in the performance of its oversight functions in the future:

5.3.1. Improved Executive-Legislative Relations

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 will no doubt ensure the attainment of oversight outcomes. Given the need for

such relation between the executive and legislature, a respondent R₁ (2021, research information) posited that “there should be an agreement between both parties for oversight function to be carried out and be effective”. Another participant, R₂ (2021, research information) concluded that “there must be a good understanding with the leadership of the Ministry and the Senate Committee”. Indeed, both participants acknowledge the fact that constructive executive-legislative relation is needed to drive oversight goals.

5.3.2. 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, participant R₃ (2021, research information) posited that “there is a need to implement all the recommendations being discovered during oversight by the NASS [*sic*] in their previous oversight before a new one can be performed”. In broad terms, 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. A participant R₅ (2021, research information) captured it aptly when he/she made a case for voting “right candidates who are interested to do the job in the interest of Nigerians ... and not settlement as usual”.

5.3.3. 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, a participant R₄ (2021, research information) appealed that “there should be enough budgetary allocation for oversight and other duties that are carried out by the Senate Committee on Defence”. In the same vein, another participant stated 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, in itself, would compromise the tenets of oversight by impairing their judgment.

5.3.4. 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, participant R₆ (2021, research information) 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.

5.4. Contribution to Knowledge

Literature, as well as field data, allude sufficiently that the concept of legislative oversight can improve or impair governance given its application. Also, the principal-agent theory upon which the study was based recognizes the right of citizens to good governance since its concept connotes that powers are held in trust by the agents (the legislature and executive). Given the constitutional imperative driven by the principle of separation of powers, this study contributes to the body of knowledge in that it evaluated the performance of oversight by legislative committees focusing on the 8th Senate Committee on Defence thus, identifying challenges and the way forward to the performance of oversight by legislative committees of the National Assembly. Within this context, it improved the body of knowledge by specifically noting the benefits inherent in developing an accountability chain that would ensure the implementation of oversight recommendations through the active participation of Civil Society Organizations (CSOs).

5.5. Suggestion for Further Study

Since this study appraised the performance of oversight by legislative committees focusing on the 8th Senate Committee on Defence, future studies should focus on assessing how legislative oversight impacts the administration of the Defence sector.

REFERENCES

- “Agency” (1999). *Agency*. Retrieved from <http://homepages.uc.edu/~stedmabn/Chapter16.pdf>
- Agbedi, F. Y., Allen, F., & Ukachikara, U. O. (2020). Oversight functions of the National Assembly in Nigeria: Issues and Challenges. *International Journal of Research and Innovation in Social Science (IJRISS)*, IV(III), 197-202.
- Arowolo, G. (2010). *Oversight functions of the legislature: An instrument for nation-building*. Retrieved from <https://www.ajol.info/index.php/aujilj/article/view/138178/127909>
- Asimiyu, A. (2018). *National Institute for Legislative and Democratic Studies lecture note: Parliamentary Committees in Democracies*. Abuja, Nigeria: Unpublished.
- Battglini, M., Lai, E. K., Lim, W., & Wang, J. T. (2018). *The informational theory of legislative committees: An experimental analysis*. Retrieved from <https://pdfs.semanticscholar.org/a792/be7d48031453dba75642dd8e1759b52e6792.pdf?ga=2.65749870.1383886331.1576755776-2101986188.1568982518>
- British Broadcasting Corporation, [BBC] (2017, May 8th). *Nigeria Chibok abductions: What we know [Article]*. Retrieved from <https://www.bbc.com/news/world-africa-32299943>
- Caparini, M. (2004). *Civil society and democratic oversight of the security sector: A preliminary investigation*. Working paper no. 132. Geneva, Switzerland: Geneva Centre for the Democratic Control of Armed Forces [DCAF].
- Congressional Research Service [CRS] (2020). *Congressional oversight manual*. Retrieved from <https://crsreports.congress.gov/>
- Constitution of the Federal Republic of Nigeria, CFRN (1999, as amended).
- Dan-Azumi, J. (Ed.). (2015). *Induction manual for legislators (1st Ed.)*. Abuja: National Institute for Legislative Studies, NILS.

Ewuim, N. C., Nnamani, D. O., & Eberinwa, O. M. (2014). Legislative oversight and good governance in Nigeria National Assembly: An analysis of Obasanjo and Jonathan Administration. *Review of Public Administration and Management*. 3(6), 140-153.

Fashagba, J. Y. (2009b). The roles of the committee system in enhancing legislative efficiency in Nigeria: the case of Kwara State house of Assembly. *Journal of Sustainable Development in Africa*, 10(4), 426-444.

Fashgba, J. Y. (2009a). Legislative oversight under the Nigerian presidential system. *The Journal of Legislative Studies*, 15(4), 439-459.

Federal Republic of Nigeria, *Senate Standing Orders 2015 as amended*.

Fortunato, D., Martin, L.W & Vanberg, G. (2017). Committee Chairs and Legislative Review in Parliamentary Democracies. *British Journal of Political Science*, 1-13. <https://doi.org/10.1017/s0007123416000673>

Frolick, C., & Tau, R. J. (2013). *Oversight-A critical role for committees*. Retrieved from <http://www.cpahq.org/CPAHQ/CMDownload.aspx?ContentKey=7055e7ba-2aa4-456e-87ea-8abe13a5352c&ContentItemKey=d6b94b44-a6c1-4295-854d-ee3547f992cf>

Fukuyama, F. (2004). Why there is no science of public administration. *Journal of International Affairs*. 58, 189-201.

Geneva Centre for the Democratic Control of Armed Forces [DCAF] (2012). *Training toolkit for parliamentary staffers*. Geneva, Switzerland: DCAF.

Geneva Centre for Security Sector Governance [DCAF] (2021). *Security sector integrity: Parliamentary oversight*. Retrieved from <https://securitysectorintegrity.com/institutions-and-organisations/parliamentary-oversight/>

- Hamalai, L. (Ed.). (2014). *Committees in the Nigerian National Assembly: A study of the performance of legislative functions 2003-2010*. Abuja: National Institute for Legislative Studies (NILS).
- Hendrick, J. M., & Kay, A. (2017). *Form “opening up” to democratic renewal: Deepening public Engagement in Legislative Committees Government and opposition*. Retrieved from <https://doi.org/10.1017/.20>
- House of Representatives, National Assembly (2017). *Oversight manual*. Abuja: Author.
- Jensen, M. C., & Meckling, W. H. (1976). Theory of the firm: Managerial Behavior, Agency costs and ownership structure. *Journal of Financial Economics*, 3, pp. 305-360.
- Klassen, J. A. (2011). *Separation of powers*. Retrieved from https://www.researchgate.net/publication/328216540_Separation_of_Powers?enrichId=rgreq-bda52079d356271271d459ffc22b1027-XXX&enrichSource=Y292ZXJQYWdlOzMyODIxNjU0MDtBUzo5NTUwNTQ1NTkzMzg0OTdAMTYwNDcxNDE1OTg5OA%3D%3D&el=1_x_2&esc=publicationCoverPdf
- Legislative Research Council [LRC] (2018). *The legislative committee*. Retrieved from <http://sdlegislature.gov/docs/studentpage/studentguide/StudentReferenceSeries6.pdf>
- Momodu, A. J., & Matudi, G. I. (2013). The implications of executive-legislative conflicts on good governance in Nigeria. *Public Policy and Administration Research*, 3(8), 30-42.
- National Democratic Institute for International Affairs [NDI] (1996). Committees in legislatures: A division of labour. *Legislative Research Series*, 2.
- Nigerian Tribune (2020, November 10th). *428 MDAs won't be able to pay November salaries-DG Budget Office [Article]*. Retrieved from <https://tribuneonline.com/428-mdas-wont-be-able-to-pay-november-salaries-%E2%80%95-dg-budget-office/>

- Nwogwugwu, N., & Ishola, A. (2019). Legislators and their oversight functions in policy implementation in Nigeria. *International Journal of Humanities, Social Sciences, and Education (IJHSSE)*, 3(6), 93-102.
- Nwosu, M. A. (2014). *Committee system in the Nigerian legislature*. Abuja: National Library of Nigeria.
- Omejec, J. (2015). *Principle of the separation of powers and the constitutional justice system*. Retrieved from https://bib.irb.hr/datoteka/785200.Omejec_-_Separation_of_Powers_and_Constitutional_Judiciary_-_Strasbourg_28.10.pdf
- Omotoso, F., & Oladeji, O. (2019). Legislative oversight in the Nigerian Fourth Republic. In J. Y., Fashgba (Eds.), *The Nigerian National Assembly, advances in African economic, social, and political development*. https://doi.org/10.1007/978-3-030-11905-8_4
- Policy and Legal Advocacy Centre [PLAC] (2016). *Guide to Legislative Oversight in the National Assembly*. Abuja: Author.
- Premium Times Nigeria (2020, May 23rd). *Buhari signs executive order on financial autonomy for state legislature, judiciary* [Article]. Retrieved from <https://www.premiumtimesng.com/news/headlines/394155-buhari-signs-executive-order-on-financial-autonomy-for-state-legislature-judiciary.html>
- Punch Nigeria (2016, June 20th). *Forgery: FG to arraign Saraki, Ekweremadu Tuesday* [Article]. Retrieved from <https://punchng.com/saraki-senate-forgery-arraignment-cc%E2%80%8Et-trial-tomorrow/>
- Rockman, B. (1983). Legislative-executive relations. In G., Loewenberg, P., Samuel, & H., Rosenthal (1978), *political resource allocation, controlled agendas, and the status quo*. Cambridge: Harvard University Press.
- Sandra, I. N., Mohammed, A., & Nkweakwu, C. (2020). Legislative oversight and the enforcement of budget implementation in Nigeria army. *Direct Research Journal of Social Science and Educational Studies*, 7(6), 175-190.

Thisdaylive (2020, December 22nd). *House threatens to sanction PDP caucus leader over Buhari's impeachment call* [Article]. Retrieved from <https://www.thisdaylive.com/index.php/2020/12/22/house-threatens-to-sanction-pdp-caucus-leader-over-buharis-impeachment-call/>

Vanguard Nigeria (2019, November 22nd). *Lawmakers ask for gratification before oversight functions* [Article]. Retrieved from <https://www.vanguardngr.com/2019/11/lawmakers-ask-for-gratification-before-oversight-functions-sagay/>

Verney, D. V. (1969). Structure of Government. In J. Blondel, (Ed.), *Comparative Government: A Reader*. London: Macmillan Press.

Woodrow, W. (1885). *Congressional Government*. Baltimore: Johns Hopkins University Press.

Yaqub, N. (2004). The Military, Democratic Transitions, and the 1999 Elections. In L., Oluode, and R., Anifowoshe (Eds.), *Issues in Nigeria's 1999 General Elections*. Lagos: John West Publications Ltd and Reboniks Publications Ltd.