

**LAWMAKING PROCESS IN NIGERIA'S NATIONAL ASSEMBLY: THE
ROLE OF LEGISLATIVE AIDES (2015-2019)**

BY

Patience Orhiere IJEFUAMHEN (Mrs.)

PG/NLS/1900070

**BEING A DISSERTATION SUBMITTED TO THE NATIONAL INSTITUTE
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(MPD)**

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DECLARATION

I Patience Orhiere Ijefuamhen hereby declare that this project is the original product of my own research effort undertaken with the supervision of Dr. Kabir Ahmed and that neither wholly nor in part has been presented elsewhere for the award of a degree or certificate. All references to research works of other authors have been appropriately acknowledged.

Patience Orhiere IJEFUAMHEN (Mrs.)
PG/NLS/1900070

Date -----

The above declaration is hereby confirmed

Dr. Kabir Ahmed
(Supervisor)

Date-----

CERTIFICATION

This is to certify that this project work titled “Lawmaking process in Nigeria’s National Assembly: The role of legislative aides under the 8th session” is submitted to the school of post graduate studies University of Benin in affiliation with the National Institute of Legislative & Democratic Studies, Abuja is an original research work carried out by Patience Orhiere Ijefuamhen.

Dr. Kabir Ahmed
(Supervisor)

Signature

Date

APPROVAL

This is to certify that this dissertation has been read and approved as having met the partial requirement for the award of Masters' Degree in Parliamentary Administration (MPD) of NILDS/ University of Benin.

.....
Dr. Kabir Ahmed
(Supervisor)

.....
Date

.....
Prof. Mojeed Olujimi Alabi
(Internal Examiner)

.....
Date

.....
Prof. Olu Okotoni
(External Examiner)

.....
Date

.....
Dr. Asimiyu Abiola
(PG Co-ordinator)

.....
Date

DEDICATION

This project work is dedicated to my darling dudu, Eseose Jayda Ijefuamhen, for her inspiration and strength with her little hugs and kisses and always saying “go mama I know you can do this” and to my brother Matthew Ehinon Orhiere for blindly believing in me. My heart beats for you.

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ABSTRACT

Despite the powers conferred on the National Assembly pursuant to section 51 of the 1999 CFRN(as amended), the National Assembly Service Commission Act, 2014, did not define the status and roles of the personal aides of legislators as part of the needed support staff except as may be delegated to them. This study examined the effect of this lacuna in the Act specifically on the law making process of the 8th Session of the National Assembly (2015 – 2019) 8th session of the Nigerian National Assembly, which witnessed the passage of an unprecedented number of bills denied assent, with specific objectives to examine the performance of the legislative aides in the lawmaking process, to determine factors that influenced their performance in the period under review and proffer measures that will enhance their performance.

Adopting the structural functionalism framework and qualitative research design, primary data was collected using questionnaire while the secondary data were sourced from publications, documents of the National Assembly, Textbooks, review of related works and the Internet. The sample size was 300, while data analysis was done using simple statistical methods of frequency and percentage to meet all the stated objectives.

The Study found that on objective 1 the legislative aides performed poorly in the lawmaking process due to myriads of challenges through the questionnaire and the documents of the National Assembly. On objective 2, through the use of questionnaire these challenges were identified to include the absence of a legal framework that assigned roles and guaranteed job security to the Aides, the prioritization of political consideration above qualification and experience, poor capacity and training, conflicting values and interest of their principals, poor funding and of lack of office space, equipments and bill drafting policy.

The study concluded that these challenges could be surmounted through further amendments to the NASC Act, structured quarterly training for legislative aides, creation of more stakeholders' engagement platforms, provision of office equipments and improved funding.

Word count 321.

LIST OF ABBREVIATIONS

APC:	All Progressive Congress
CFRN:	Constitution of the Federal Republic of Nigeria
FCT:	Federal Capital Territory
FGD:	Focus Group Discussion
HB:	House Bill
LES:	Legislative Effectiveness Score
MFMA:	Municipal Finance Management Act
NASC:	National Assembly Service Commission
NASA:	National Assembly Service Act
NILDS:	National Institute for Legislative and Democratic Studies
NASS:	National Assembly
NASSLAF:	National Assembly Legislative Aides Forum
NRI:	National Republic Institute
NDI:	National Democratic Institute
NGO:	None Governmental Organization
PDP:	People Democratic Party
PLAC:	Policy and Legal Advocacy Centre
PFMA:	Public Financial Management Act
RMAFC:	Revenue Mobilization Allocation and Fiscal Commission
SB:	Senate Bill
SDC:	Swiss Agency for Development Cooperation
YIAGA:	Youth Initiative for Advocacy, Growth and Advancement

CHAPTER ONE

INTRODUCTION

1.1. Background to the Study

Baron de Montesquieu, in his book, *The Spirit of Laws* published in 1748, defined "*legislative power as that for enacting temporary or perpetual laws and the amending or abrogating of those already made*". It can be deduced that the *primary purpose for the creation of the legislature was as a result* of man's quest to improve the polity, ensure good governance, rule of law and protect human rights which are essential ingredients required for development through lawmaking.

From the foregoing, all other primary functions of the legislature i.e. oversight and representation aim to improve on existing laws, abrogate obsolete laws and or make new laws to ensure development of the society. There is a growing recognition of the connection between laws and development and laws and good governance. It will be correct to say that of all the three core functions of the legislature: Lawmaking, Oversight and Representation, lawmaking appears to be the most existential reason for the legislature.

The application of this principle in the American Constitutional doctrine mandates a rigid power separation whereby the legislature exercises all powers of legislation except if and when delegated to any other authority. The Nigerian Constitutionalism is modeled after the American; hence the Nigerian National Assembly pursuant to the provisions of section 4 of the 1999 Constitution (as amended) is vested with all Federal Legislative powers to "make laws for peace, order and good governance in the territory of Nigeria and other parts thereof"

Nwabueze (2003, p 180) citing Friedrich Von Hayek (1982) on Julius Paulus of the 3rd century A.D described legislation "as among all inventions of man the one fraught with the gravest

consequences, more far-reaching in its effects even than fire or gun powder”. The laws enacted by Rome provided not only an imposing architecture of government but also a sublime instrument for order, peace and regularity. Legislation is therefore an instrument of control and coercion of the individual and the society and an expression of the supreme powers in a state, which is a distinctive mark of a country sovereignty and status of an independent state. The legislature that has the power to make laws is the harbinger of the sovereign power of the state.

Since legislation is an indispensable instrument of government as every activity of government require the authority of an enabling law, the process must be done with due diligence and not in a haste. In a constitutional government legislative proposals are usually required to be presented in the form of a bill, with the precise wordings of the provisions fully set out, and thereafter to be put through a winding process of long- drawn debates in the assembly and it’s Committees, during which the substance of the proposed law, the meaning and the implication of its wording are examine in details.

Therefore, with the legislator who is already inundated with other services in the plenary and the constituency, there is need for a compliment of support staff- bureaucratic and personal to effectively and efficiently carry out this onerous task of lawmaking. In Nigeria, Federal legislators are entitled to 5 legislative aides classified into five cadres: Senior Legislative Aide (SLA), Legislative Aide (LA), Legislative Aide Assistant (LAA), Personal Assistant (PA) and Secretary. With a combined population of senators and members of the House at 469, the total number of aides employed by the National Assembly Service Commission is 2,354 at a given Session of the National Assembly, in addition to other aides employed by the leadership of the National Assembly.

Beyond the numbers however, is their competence which could be attributed to the level of their education and specialization. This is paramount to the extent that personal aides compliment the inadequacies of their principals in terms of educational qualification, expertise, public service experience and exposure. The dearth of aides with high-level technical capacity in African parliaments implies that some legislators would not have the benefit of good briefs from their aides on issues to be debated in the legislatures, due to lack of experience given the relatively short history of the parliament. In addition, the high turnover rate of legislators also meant a high level of turnover of legislative aides in each session. According to Hamalai (2015) legislative sessions since 1999 witnessed an average return of 30% which has reduced to 16% in recent years unlike advanced countries with up to 80% re-election rate.

The 1999 Constitution of the Federal Republic of Nigeria as amended conferred on the National Assembly the powers to determine through an Act the composition and roles of the compliment support staff pursuant to section 51. ‘there shall be a clerk to the National Assembly and such other staff as may be prescribed by an Act of the National Assembly ,and the method of appointment of the Clerk and other Staff of the National Assembly shall be as prescribed by that Act’. The “such other staff” envisaged in the Constitution should include the legislative aides. However, in enacting the National Assembly Service Commission Act, 2014 as amended, the Legislators did not consider the inclusion of the Legislative aides and assigning roles to them as part of the essential support staff of the National Assembly but instead the Commission issued guidelines pursuant to section 13 (1) and (2) of the Act on “Appointment and Management of Legislative aides for Senators and Members of the House of Representatives of the National Assembly” (Revised Guidelines, 2019).

According to the National Assembly Service Commission (NASC) publication 2019 guidelines on the appointment and management of legislative aides in the National Assembly, their functions include but not limited to conducting research, drafting bills, motion and lead debate, researching state and federal policy issues and legislation, prepare briefs, speeches, managing the principals' office, handling protocol arrangements, liaising with Committees and other National Assembly Departments on behalf of their principals.

The guideline is non-binding and lack enforceability. Worse still, the letters of appointment of the legislative aides specifically states that "their appointment is at the pleasure" of each legislator. Whereas the role of the bureaucracy has been expressly provided for in the National Assembly Service Commission Act (NASC) 2014 as amended, those of the legislative aide are drawn from parliamentary practices and procedures. Awah (2013) also justified the duties of legislative aides by stating that their roles are usually elastic and may be overstretched because they monitor legislation through the Committee review stage and on the floor.

It is their role in lawmaking i.e. drafting bills, and motions, conducting research and preparing lead debate for or against pending bills under consideration before the House - that is the subject of this research. The researcher has taken the 8th session as a reference point because the period recorded the passage of high number of bills estimated at 515 bills, YIAGA Africa (2019) of which only 80 were assented to. The President declined assent on most of the bills on the ground of duplication, errors in drafting, wrong choice of language, over-lapping functions, and inadequate financial implication of such legislation. Since most of the rejected bills were private member bills, this research argues that the legislative aides have not played their expected role at every stage of the bill consideration.

1.2. Statement of the Research Problem

The role of legislative aides in the lawmaking process in the Nigerian National Assembly has not been given its rightful place under the law and parliamentary practices and procedure. The Nigeria Constitution, 1999 as amended is silent on the issue of the appointment of legislative aides unlike in some advanced democracies where the conditions for appointment of legislative aides are derived directly from specific constitutional provisions. There is therefore no legal framework that bestows specific functions on the aides in the process, except to the extent as may be delegated to them by their principals.

While bureaucratic staff enjoy job security and clearly defined conditions of service as contained in the National Assembly Service Act (NASA), 2014 (as amended) , the legislative aides serve their principals under such conditions as might have been determined by the National Assembly Service Commission in collaboration with their principals in whose pleasure they serve. The implication of this is that their tenure of office is subject to whims and caprices of their principals. For example the letter of appointment issued by the National Assembly Service Commission to the legislative aides clearly states, among other conditions that: “Your appointment is at the pleasure of (name of Legislator) and subject to all other conditions applicable in the Public Service” (2011 Orientation Paper). The implication of the above condition is that the member can terminate the appointment of the Aide at any time he loses confidence in such aide. The later position predisposes them to high labor mobility at the expense of institutional memory loss and experience. For example under the 8th session of the National Assembly, it was observed that the office of the Senate President and his Deputy exited 50% of their aides and employed new aides’ mid-term of their tenure. The implication of which, aides with experience in bills drafting have been lost and the newly employed aides will require time and training to master the act of bill

preparation and Committee work. According to Ladan (2019), duplication of functions, drafting errors, financial implications among others were some of the reasons cited by the President for declining assent to some passed bills of the 8th session of the National Assembly (2015-2019). When it is considered that majority of the rejected bills were private members' bills which required inputs of the members' personal staff (legislative aides), the competence of the aides in the lawmaking process becomes very starkly exposed.

Next is the issue of remunerations of legislative aides in the National Assembly. It may be recalled that progress had been made that aides salaries were paid directly to them through their banks, unlike in the 4th and 5th assembly when it was paid through their principals. However legislative aides have consistently received their salaries late and have had some of their allowances stopped without notice resulting in low morale and motivation. De Gregorio (1994) discovered that when a member of staff is motivated by loyalty, members are more willing to involve them in the policy process than when they are motivated by personal interests.

As posited by Ereke (2020), legislative aides are key in the lawmaking process with experience covering areas such as bill analysis and scrutiny, legal drafting, administrative and political matters, etc. Nevertheless, the number of bills declined assent calls such avowed competencies to question. Given the foregoing, there emerges a heightened concern for this dissertation thus: if indeed legislative aides performed their duties effectively, why were several bills rejected by the President? Against this backdrop, this study assessed the performance of legislative aides in the legislative process; determine how legislative aides contributed to the ineffectiveness of the lawmaking process under the 8th session of the National Assembly? And advocate measures to enhance their performance in the lawmaking process. Table 1.2.1 in appendix i presents the summary of some of the bills declined assent in the 8th session of the Nigeria's National Assembly

1.3. Research Questions

- i) How effective were legislative aides in the lawmaking process under the 8th session of the National Assembly?
- ii) How have the legislative Aides contributed to the ineffectiveness of lawmaking process under the 8th session of the National Assembly?
- iii) What measures are required to enhance the performance of legislative aides in the lawmaking process of the National Assembly?

1.4. Research Objectives

The broad objective of this study is to assess the roles of legislative aides in the lawmaking process in the Nigeria's National Assembly. The specific objectives are to;

- i. examine the performance of legislative aides in the lawmaking process under the 8th session of the National Assembly.
- ii. determine what factors influenced the roles of legislative aides in the lawmaking process under the 8th session of the National Assembly.
- iii. proffer measures that will enhance the performance of legislative aides in the lawmaking process in the National Assembly.

1.5. Scope of Study

The scope of this study is limited to the Nigeria's National Assembly and the aides to the 469 Members of the Bicameral legislature classified as non-permanent short term staff only.

The time scope of this dissertation is the 8th Assembly i.e. from 2015 to 2019. The choice of this period is predicated on the fact that the period recorded the passage of a high number of bills estimated at 515 bills of which only 80 were assented to. YIAGA Africa (2019)

The study area is central business district, North Central Nigeria. Finally, the analytical limitation of the study is the 1999 Constitution of the Federal Republic of Nigeria.

1.6. Significance of the Study

This work intends to focus on the factors that affected the performance of legislative aides in the lawmaking process under the 8th session of the National Assembly i.e. between 2015 and 2019. To this end, this work would attempt to cover the gaps in knowledge regarding the process of lawmaking and the performance of legislative aides.

The recommendations from this work will contribute in no small measure to enriching the lawmaking process in Nigeria. It would be beneficial to legislators, parliamentary administrators, legislative researchers and analysts, parliamentary staff, legislative aides, scholars, and students with interests in the parliament and the general public. This work will also be handy in advocating for reform in the lawmaking process in Nigeria to enhance productivity and legislative output.

1.7. Definition of Key Terms

Role

Encyclopedia Britannica defines role as a comprehensive pattern of behavior that is socially recognized, providing a means of identifying and placing an individual in a society. It also serves as a strategy for coping with recurrent situations and dealing with the roles of others

(e.g. parent-child roles). Merriam-Webster also defined role as a character assigned or assumed had to take on the role of both father and mother. A; socially expected behavior pattern usually determined by an individual's status in a particular society. B; a part played by an actor or singer.

In spite of these definitions role in this research is adopted to mean the assignment, function, action expected of an individual who occupies the office of an aide to a legislator.

Lawmaking

Vocabulary.com dictionary defines Lawmaking as the process of making and enacting laws.

The synonyms of lawmaking: legislating, legislation. Criminalization, Legislation that makes something illegal.

According to Cornell law school, lawmaking /Legislation refers to the preparation and enactment of laws by a legislative body through its lawmaking process. The legislative process includes evaluating, amending, and voting on proposed laws and is concerned with the words used in the bill to communicate the values, judgments, and purposes of the proposal. An idea becomes an item of legislative business when it is written as a bill. A bill is a draft, or tentative version, of what might become part of the written law. A bill that is enacted is called an act or statute.

1.8. Organization of chapters

The research is organized into five (5) chapters. Chapter one is made up of background to the study, statement of the research problem, research objectives, and research questions, scope/limitation of the study, the significance of the study, definition of terms and organization of the study. Chapter two focuses on the literature review and theoretical framework that guides the study. Chapter three discusses the research methods which include research design, the population of the study, sampling and sampling techniques, and sample size. It also explained the procedure for data collection and techniques for data analysis. Chapter four is on data presentation, data analysis, and discussion of findings. Chapter five contains the summary, conclusion, recommendations, and references.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

In this chapter, studies relevant to the research were reviewed. The review captures the various concepts in the study such as the National Assembly, the lawmaking process, and legislative aides. Nevertheless, to identify the knowledge gap, empirical literature review representing the variables was done. Afterwards, the structural functionalism theory was used to situate the research.

2.1 Conceptual Framework

Drawing from the research questions and the objectives of this study a brief conceptual sub structure underlining this work will be examined.

The National Assembly

According to a publication of the National Institute for Legislative and Democratic Studies [NILDS] (2019) on “initiatives to reduce wastage and enhance efficiency in lawmaking alluded that Parliaments are essential institutions in representative democracies all over the world. Regardless of their country’s rules, their role remains the same: to represent the people and ensure that public policy is informed by the citizens whose lives it affects. The Nigerian National Assembly is a body of the people’s representatives at the Federal level vested with all Federal legislative powers to make laws for peace, order and good government, in the territory of Nigeria and other parts thereof with respect to matters in the exclusive legislative list section 4 (2) of the 1999 CFRN. The National Assembly is a bicameral legislature which consists of the Senate and the House of Representatives. The senate is made up of 109 senators elected on the basis of equality of states 3 per state and 1 from the Federal Capital Territory. (Section 48, 1999 CFRN) The House of Representatives consists of 360 members elected on the basis of constituencies of nearly equal population (section 49, 1999 CFRN)

The leadership of the Houses includes for the Senate a President and a Deputy President, for the House of Representatives a Speaker and a Deputy Speaker which shall be elected by the members of the House from among themselves. Section 50 (1) (a & b) 1999 CFRN). At any sitting of the National Assembly, in case of the Senate and the House of Representatives the Senate President or his Deputy and the Speaker or his Deputy shall preside. Section 53 (1) (a) & (b) 1999 CFRN. At any joint sitting of the Senate and House of Representatives the President of the Senate shall preside or in his absence the Speaker shall preside. The quorum of either of the Houses shall be 1/3 of all the members. Section 54 (1) (2) 1999 CFRN.

The powers of the National Assembly to make laws shall be exercised by bills passed by both Houses and assented to by the President. Section 60 of the 1999 CFRN provides that subject to the provisions of this Constitution the Senate or House of Representatives shall have power to regulate its own procedure including the procedure for summoning and recess of the House. The Senate or House of Representatives may appoint a Committee of its members for such special or general purpose as in its opinion would be better regulator and managed by means of such a Committee, and may by resolution, regulation or otherwise as it thinks fit delegate any function exercisable by it to any such Committee (Section 62(1) 1999 CFRN).

The 8th National Assembly

The 8th National Assembly (2015 – 2019) was inaugurated on June 9, 2015. The Nigerian National Assembly sessions from independence have been numbered under a democratic dispensation, from the First Republic (1960-1966), the Second Republic (1979-1983), Third Republic (1991-1993) and the Fourth Republic (1999- date). Under the Fourth Republic, the National Assembly session of interest in this study is actually the 5th but 8th counting from independence. (Oni et al, 2019, P. 20).

The 8th National Assembly comprised 469 members elected across the 6 geopolitical zones of Nigeria. In the senate 59 members were elected on the platform of the APC which was the ruling Party and 49 were elected on the platform of the PDP. Only six of the senators were women. For the first time, the post of the President of the Senate and the Deputy was shared between the ruling and opposition parties against the wish of the APC. Thus setting the platform for a stormy executive-legislative relationship throughout the session. (Votes and Proceedings of Rules and Business HR, 2015)

However, by July 2018 the 8th National Assembly had enacted a total of 213 bills (Umoru 2018). Some of the sponsored bills included: the bill for the construction of Dams to remedy the perennial flood disasters in Nigeria., the Whistle Blowers Protection Bill 2016 passed into law in 2017, the Ward Security Bill that seeks to protect Nigerians from herdsmen attacks and other insecurities related threats through the creation of Community Policing, the Public Procurement Act (Amendment) Bill of 2015 which seeks to promote Made-in-Nigeria products in the country, etc.

Olaniyonu (2018) stated in a press conference that at this time:

“We have passed 213 bills and cleared 138 petitions submitted by the public. We are happy to say that this Senate is the most productive since 1999. It has surpassed the 5th Senate, which passed 129 bills in four years, had the highest number of bills, as against the 6th Senate with 72 bills, and 128 passed by the 7th Senate.. The number of petitions we have successfully treated to the satisfaction of Nigerians who filed them dwarfed those treated by the sixth and seventh Senate respectively”

YIAGA Africa center for legislative engagement recorded that at the end of the tenure of the 8th National Assembly in May, 2019 a total of 515 bills was passed, while 80 was assented to.

Lawmaking process

The lawmaking process is typically defined as a series of actions through which laws are considered and adopted, i.e. the process of law discussion, adoption, and publication. The lawmaking process includes several mandatory stages that must be completed in a specific order. Lawmaking as an important function of the legislature is critical in nation-building as it stabilizes the society. Even during the military era, lawmaking still took place but not by the legislature. So, lawmaking by the legislature is a critical foundation of a society and the difference in a democratic setting.

Justifying the important position of the legislature in the exercise of the lawmaking function, Anifowose and Enemu (2005) contended that no form of human organization can effectively function without rules of behavior. This implies that the legislatures under most democratic systems have certain powers over the establishment and amendment of their Nations' Constitutions as every legislature is authorized to play important role in enacting and amending laws, pursuant to section 4 (2) 1999 CFRN.

“The National Assembly shall have power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in Part 1 of the Second Schedule to this Constitution”

Section 58 (1) expressly provides that the lawmaking powers of the National Assembly can be exercised by bills passed by the National Assembly and assented to by the President. Likewise, section 9 of the Constitution empowers the National Assembly to alter any part of the 1999 Constitution. This however requires the support by way of resolution of the House of Assembly, of two-thirds of all the states of the Federation.

According to the Policy and Legal Advocacy Centre [PLAC] (2017), a bill is a proposed law that is presented to a legislative house for deliberation and consideration. It's a legislative proposal, and it's the first step towards enacting new or amending existing legislation. Every bill is given a unique number that starts with "HR or HB" (to indicate that the bill originated in the House of Representatives) or "S or SB" (to indicate that the bill originated in the Senate). However, the vast majority of bills are never enacted. To become law, the bill must be passed in identical form by both the Senate and the House of Representatives and then signed by the President in the case of a Federal bill, or the Governor in the case of a State bill. .A bill can originate from the executive or judiciary (Executive bill) or from the members (private member's bill). However, when the citizens are the originators, it must be sponsored for consideration by a serving legislator.

When a bill is introduced in either House of the National Assembly, the President of the Senate or the Speaker of the House of Representatives refers it to the Rules and Business Committee for the House of Representatives and the Rules and Procedure Committee for the Senate to enlist it for legislative action. The Rules and Business Committee of either chamber is also expected to decide when and how a bill will be tabled before the plenary for further legislative process. Before being passed by the National Assembly, bills are read three times, although some procedures take place within these three stages of the bill process ([PLAC] (2017)).

i) First Reading –

The Clerk of the Senate or the House usually reads the short title of the bill, then proceeds to 'table' it before the Speaker of the House of Representatives or the President of the Senate respectively. There is no debate or discussion of the bill at this stage because the purpose is simply to notify the legislators that a specific bill has been introduced for legislative action

(Gidado, 2019). For member bill the legislative aides make input through bill drafting, research, and lobbying.

ii) Second Reading:

A motion moved either by the sponsor or leader of either Houses, that the bill be read the second time marks the beginning of the second reading of such bill when the general principles are debated ((Danwanka & Usman, 2019). If the motion is carried, the sponsor of the bill or the leader of either House is expected to highlight the subject matter, objectives, benefits, and general principles. Other members may also express a desire to speak on the bill. At this stage each legislator is expected to present arguments for or against the bill. The legislative aides are expected to support their principals to prepare the arguments or lead debates for or against an impending bill after thorough research on the bill. At the end of the debate a motion that the bill be referred to the relevant Committee is moved by the presiding officer. With a majority support of the motion, the Senate President/Speaker of the House is empowered by the relevant rules of either House to refer the bill to any Committee as may be determined.

iii) The Committee Stage: A bill at the Committee stage is intended to receive inputs from critical stakeholders and members of the public in various ways which may include public hearing. (Danwanka and Usman (2019). Nonetheless, all amendments to the bill must be consistent with the general principles of the bill. When a bill has multiple subjects that cut across multiple Standing Committees, it will be referred to the Standing Committee with the dominant issue, while others will form subcommittees to consider areas that concern them and report to the Main Committee (e.g Appropriation bill). Consequently, PLAC opined that the Main Committee will then be responsible for compiling and aggregating all suggestions and amendments from the "Sub-

committees" and submitting a full report to the Senate/House. A legislative aide attends Committee meetings, observe, take notes, and prepare bullet points for his principal.

iv) Committee report stage

After the Committee has completed its work, a comprehensive report is prepared and signed by the chairman and clerk of the Committee. The legislative aide liaises with the Committee clerk and collects reports on behalf of the principal and monitors the schedule of report presentation and debate.

v) Third reading

At this stage the Chairman lays down his report before the House in the plenary. A clause by clause consideration is done on the bill by the Committee of the whole presided over by the Senate President in the Senate and the Speaker or the Deputy in case of money bills in the House of Representatives (Danwanka and Usman, 2019). In general, once a bill has reached the third reading stage, it cannot be amended. However, any proposed amendments will require that by a motion the bill will be "*re-committed*" to the Committee stage to include the amendment. Following the adoption of all necessary amendments, the Senate/House will proceed to move a motion that the bill be read the third time. Once the motion is carried the bill is deemed to have been passed. The clerk of either House will prepare a clean printed copy and forward to the opposite House for concurrence. In case of any objections to any provisions of the bill, a Conference Committee comprising members of both Houses will be constituted to harmonize the differences. The harmonized bill is usually passed without debate. The copy will then be sent to the Clerk of National Assembly who will forward to the President for assent. (Danwankwa and Usman, 2019)

vi) Assent & Veto:

The Clerk to the National Assembly transmits a clean copy in triplicate to the President for his assent or veto. Where such assent is received, he sends a copy for enrolment at the Supreme Court (Section 58 (4) 1999 CFRN).

Legislative Aides

The legislature is a major organ whose effective discharge of its roles determine to a large extent ensures good governance. The more qualitative and proactive the laws, the more impactful a democratic government would be to the citizenry. To ensure their political relevance legislators must maintain constituency office, participate in the plenary, attend Committee meetings and at the same time interface with government and non-governmental agencies. These activities they cannot do alone without the help of complement of support staff. Such support staffs comprise of bureaucratic staff and personal staff known as legislative aides.

According to Hamalai et al (2016), legislative aides complement the abilities of legislators while Hornby (2006) also noted that legislative aides provide services that encompass lawmaking activities. The number of such personal aides is determined by institutional needs. In Nigeria the National Assembly Service Commission in collaboration with Revenue Mobilization Allocation Fiscal Commission determined that each legislator should have 5 legislative aides. Therefore, because there are 469 legislators, the total number of aides at any given time would be 2,354. However, according to Hamalai et al (2016), when compared to other African legislatures, the Nigerian Federal Legislature appears to have more aides compared to other African legislature. Congressmen in the United States Congress are entitled to 18 permanent employees for their congressional and district offices, whereas Senators are not limited in the number of employees they can hire. Beyond the numbers, however, is the question of their competence, qualification

and skill. While the majority of legislative aides might have the required academic qualifications, their technical capacity for the job design may not be optimal. As personal staff, the legislators recommend at their pleasure the appointment and determine their tenure.

According to the National Assembly Service Commission (NASC) publication 2019 guidelines on the appointment and management of legislative aides in the National Assembly, their functions include but not limited to conducting research, drafting bills and motion, researching state and Federal policy issues and legislation, prepare briefs, speeches, managing their principal's office, handling protocol arrangements, liaising with Committees and other National Assembly Departments on behalf of their principals. Legislative aides are indispensable in the smooth running of legislative activities.

Performance measurement in public service

Performance measurement is a tool to help government agencies and nonprofits know whether their programs and services are leading to desired results. Through the identification of indicators, program managers can learn how efficiently and effectively they are allocating resources and to what end. Although performance measurement and performance management are hardly new to the public and nonprofit sectors, they are used more today than ever because of demands for greater accountability and growing expectations that organizations need to “do more with less.”

Performance measurement can help organizations in a number of ways: identify the conditions under which a program is doing well or poorly and thus stimulate remedial actions, raise questions regarding a service that can help staff develop and carry out improvement strategies, provide clues to problems and sometimes to what can be done to improve future outcomes and help assess the success of remedial actions. A typical cycle of performance management begins with a clear mission statement and identification of target audience or customer base. Next, organizations must

identify what to measure; for most, this will include various inputs (resources, staff), outputs (what an organization produces), and a range of outcomes or results (changes in knowledge, attitudes, behaviors, or conditions). After figuring out what to measure, organizations need to identify data sources and tools to capture information and then develop systems for analyzing and reporting data to various stakeholders. This cycle represents a continuous feedback loop within an organization and where used appropriately, can help organizations regularly monitor performance of their programs and inform program practice. Performance management occurs when organizations move from measurement to analysis and use of information to inform practice. (urban institute 2020)

2.2 Empirical Review of Relevant Works

In a study “ How experienced legislative staff contribute to effective lawmaking” conducted by Crosson and Lorenz (2018) to examine the relationship between experienced legislative staff and legislator’s effectiveness, it was estimated using series of linear regression models in which a Representative’s Legislative Effectiveness Score (LES) in each Congress was the dependent variable, and the independent variable of interest is the total years of experience possessed by that Representative’s legislative staff. Their models also included a wide range of conventional control variables (consistent with Volden and Wiseman 2014), and employed legislator fixed effects to account for idiosyncratic factors that are associated with individual legislators, which might influence their effectiveness. Deploying empirical strategy, as well as descriptive statistics and the regression results as Methodology, analysis of all House members from the 105th-113th Congresses (1997- 2013) was done. They found that, on average, House members with more experienced legislative staff appear to be somewhat more effective lawmakers, although not at conventional levels of statistical significance ($p = 0.11$).

In measuring lawmaking effectiveness, the study employed the Legislative Effectiveness Score (LES) as developed and defined by Volden and Wiseman (2014, 18). The LES measures the “proven ability to advance a member’s agenda items through the legislative process and into law.” Legislative Effectiveness Scores combine fifteen bill-level indicators for every member of the U.S. House of Representatives to identify how many bills each member introduced in each Congress, how many of those bills received any sort of action in Committee and/or action beyond Committee, how many bills passed by the House, and how many bills became law. Each bill was coded to account for whether it was primarily commemorative in nature, “substantive,” or “substantive and significant” and then with these fifteen indicators (five lawmaking stages for three levels of bill significance), a Representative’s Legislative Effectiveness Score was calculated. Scores are normalized to take an average value of “1” within each two-year Congress, which facilitates easy comparison across legislators on their legislative agenda items through the lawmaking process in a 2 year session of congress.

The setbacks of this study were small sample size which lacked statistical significance, reliance on secondary data gotten from the congressional website. Secondly, though the LES serves as a transparent and consistent metric of how successful a Representative is at advancing her legislative agenda in a Congress, it does not capture all aspects of legislative effectiveness such as amendment activities. Again, the LES is based on the progression of a Representative’s sponsored legislation; the metric does not capture the impact of legislators who work behind the scenes to facilitate the lawmaking process. Third, the LES does not measure the obstructionist tactics that Representatives might employ to gum up the lawmaking process, which can clearly be related to lawmaking success (or lack thereof).

In another study, Dele and Olusegun (2018) assessed the role of parliamentary staff and legislative aides in the lawmaking process of the National Assembly. From a weberian theoretical framework, the study evaluated the roles legislative aides play especially considering the limited resources of parliamentarians to process legislation compared to ministers in a democracy. Parliamentary aides are an important source of parliament's autonomy. Besides examining the relations between Aides and Senators, scholars have also looked at the individual characteristics of officials. Price (1971) assumed that the activity of aide varies given their partisan or professional. Partisan aide continuously seeks opportunities to bring new initiatives and push proposals towards their desired outcome. Professionals that are defined as non-partisan experts prefer to react to the needs of members by analyzing and objectively presenting policies rather than proactively initiating policies.

This study was located within several theoretical standings specifically the Management process and Organizational theory as the National Assembly could be likened to a Weberian bureaucracy. The study used primary data collected from a small sample population mainly of the legislative aides and the Management staff of the National Assembly to arrive at some faulty recommendations. Legislative aides unlike the permanent staff are not posted by the National Assembly because they are appointed at the pleasure of the legislators who recommend them.

The second setback is that the aides were lumped together and examined as bureaucratic staff which the aides are not. Therefore this study used a theoretical framework that cannot be generalized.

The Swiss Agency for Development and Cooperation, SDC (2016) in *Supporting Parliamentary Development* designed firstly, to raise awareness among actors within the SDC and partner Organizations about the opportunities, but also the challenges of greater involvement in

parliamentary support, and secondly, to position the SDC's current engagement in this area, which also used the Focus Group Discussion (FGD) within the SDC network on democratization, decentralization and local governance (DDLGN), including the network's face to face meeting in Pemba/Mozambique in 2015 and a presentation and debate at the regional governance network in the Western Balkans in 2015. SDC notes that parliaments are an essential element of a country's governance architecture, helping to render it effective, transparent, accountable, and participative. Therefore, it argued that democracy support through international cooperation entails the transfer of know-how aimed at raising the capacity of actors in a democracy, including parliaments, to fulfill their roles and obligations, while fully enjoying their rights. Therefore, the SDC observed that development is closely linked to institutional capacity, the willingness to react to citizens' needs, and to decide on policies accordingly. Going further, it quipped that inter-institutional cooperation and coordination constitutes a characteristic element of democratic development, as well as the inclusion of citizens in decision-making processes. In this vein, the SDC posited that parliaments can play a central role, it, however, questioned why a relatively small percentage of international democracy assistance is channeled towards this parliamentary development. In this vein, SDC concludes that democracy support needs to find balanced ways of addressing the entire spectrum of actors in a democracy.

Similarly, Couderc (1998) in his survey research titled *The Administrative and Financial Autonomy of Parliamentary Assemblies* designed to measure the extent of parliamentary autonomy observed that the autonomy of parliamentary assemblies is a question which one might describe as "cross-disciplinary" since it touches on all aspects of the organization and functioning of parliaments. Couderc averred further that autonomy is not therefore an "empty shell" but a concrete reality that expresses in some way and to various degrees depending on the country, the shared

specificity of the parliamentary phenomenon throughout the world. In this vein, Couderc pointed out that the principle of the autonomy of Parliament is formally recognized in constitutional texts. This, he argues that the recognition of the issue of autonomy is found either in the Constitution itself one or more articles of which expressly sanction this autonomy (the principle of separation of powers formally set out either in the text of the Constitution or in a text having constitutional value, or as found among the general principles of law) or in the actual organization of the three powers as described in the Constitution. According to him, it is this separation of powers, in particular concerning the Executive, which is the basis for the autonomy of Assemblies. However, the principle of autonomy is expressed differently in those assemblies which are not governed by a written Constitution but by conventions and in which the principle of separation of powers has a particular meaning.

Furthermore, Couderc opined that in a bicameral system, autonomy must be peculiar to each assembly, even if these two distinct autonomies have the same constitutional basis. This distinction merely reflects the respective roles of the two chambers, different and complementary, in the functioning of each country's institutions. The fact that Parliament is an integral part of the state explains why in the majority of cases assemblies do not enjoy a legal personality to the extent that the State possesses such a personality. Succinctly, Couderc revealed that the effective exercise of their prerogatives demonstrates the degree of autonomy for assemblies and which reveals whether they possess the attributes of a legal personality in their totality, in part or not at all.

Similarly, Pillay and Paruk (2017) in their study on *Capacity Building needs for Administrative and Support Personnel in the Legislative Sector* which employed the desk research methodology and was designed primarily to research the Human Resource Development needs of administrative and support staff in Parliament and the nine Provincial Legislatures, alluded that the key skills

deficits were in the areas of Legal skills for Committee support; Financial management skills; and Research support for Parliamentary Committees. Hence, the training priorities were identified as Internal Auditing especially to ensure a better understanding of the work of the Auditor-General; Management and Leadership Skills; Legal skills – including research skills, and legal content advice; Basic Understanding of the Public Financial Management Act (PFMA) and the Municipal Finance Management Act (MFMA). Therefore, they suggested that certificate courses (3 months), especially online courses, were needed to address the skills challenges in the legislature. Also, Pillay and Paruk recommended that strategies to measure the efficiency and effectiveness of current investment in training of legislative personnel should be put in place, as well as, the identification of appropriate short-courses and degree programmes to address the range of skills deficits identified amongst support personnel in Parliament and the provincial legislatures.

According to Hamalai, et al in a study “Resource competence and legislative performance in the National Assembly (2018), assessed an output-based performance of Nigeria’s National Assembly, as against the mainstream capacity-based performance. The goal was to find out whether or not resource competence affected legislative performance in the National Assembly against the backdrop of public outcry that the resources appropriated for the National Assembly was a waste of public funds. The paper sought to quantify performance, to provide proof of legislative activities as outputs and to relate them to the resources allocated to the parliament. The objectives were to identify and use indicators that objectively capture parliamentary output; to use these to measure performance, and to analyze the relationship, if any, between the legislative output and resource competence of the legislature. Against this background, the study employed the “best fit” analytical framework as it enables us to see how resource competence impacts legislative performance. Legislative aides were analyzed as part of the human

resources available to the parliament. Underscoring the importance of legislative aides, the study outlined the contributions and skills required by them such as accessing information for their principals, which required the possession of ancillary skills set.

Using the resource-based framework, the importance of resource competence to performance in the legislature was highlighted. Three main types of legislative resources were identified, viz: human, infrastructural and financial. Their competence or adequacy for the effective performance of the National Assembly in its core mandate areas was critically assessed.

However, a comparative assessment of resource competence was done using the resource consumption of peer legislatures. It was concluded that the National Assembly had not performed badly, even if not efficient in the economic sense of efficiency. With regards to infrastructure and physical resources such as offices accommodation, Committee rooms, Library and ICT facilities, etc., the data show that the National Assembly has made significant gains in providing the enabling environment for legislators and legislative staff to function effectively.

The study further found that National Assembly is significantly challenged in the quality of human resources. For the human resources, the available data show that the educational qualifications of legislators is positively associated with legislative performance. It affects the quality of debate and policy initiatives of the National Assembly. Also, an assessment of the number and quality of legislative aides and management/technical staff shows that whereas the numbers are sufficient, they are not matched by the requisite quality or competence. There was some measure of inadequacy in terms of the required skills and knowledge to perform optimally. Political considerations outweigh qualifications and merit in the recruitment of political aides. Consequently, many legislative aides are hardly imbued with the requisite skills and experiences to function effectively in their responsibilities. Whereas most of the legislative aides have required

academic qualifications and claimed to have received trainings in communication tools, it is doubtful if some of them had the technical capacity for the kind of work expected of them as legislative aides. Besides, the 2015 needs assessment of the National Assembly reveals that only 38.0 per cent of the sampled legislative aides confirmed having adequate resources to carry out effective research and analysis of key issues and budgets.

Finally, Anu (2008) used the analytical methodology, thus, deploying the three models of parliamentary administration being – organic, commission, and corporate, in her study titled *Parliamentary Administration: Why does it Matter?* She concluded that an examination of parliamentary administration is premised on the adequacy of resources for the legislature. She argued that the availability of resources, how it is organized, managed and controlled depicts parliamentary administration. In this vein, she described the administrative capacity of various parliaments using Robinson and Mico's typology of parliaments.

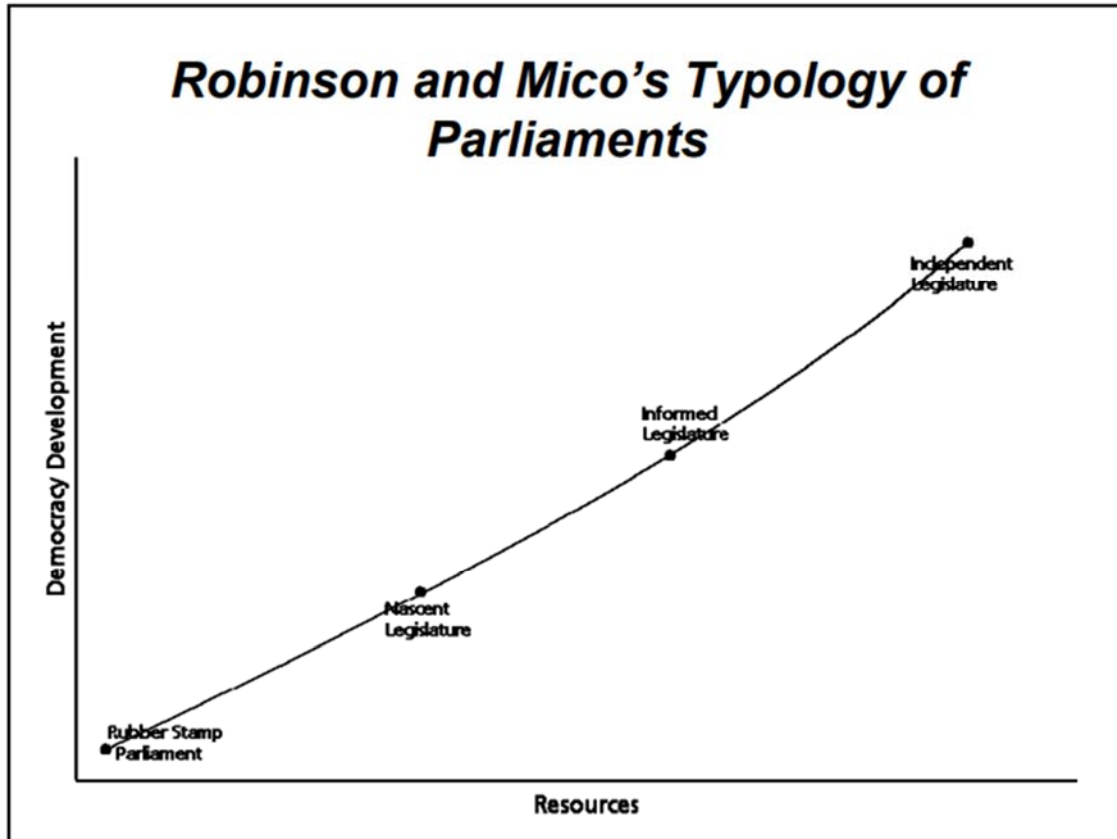


Figure 2.2.1: Robinson and Mico's Typology of Parliaments

Source: Anu (2008, p. 3)

According to Anu, rubberstamp legislatures do not have sufficient machinery or resources for independent scrutiny of the executive; nascent legislatures have a minimum/developing level of staff and resources; informed legislatures have quality specialist staff, electronic access and data, as well as Committees, library and research service with a capacity for analysis and generating alternative approaches; and independent legislatures have budgetary autonomy, specialist expertise of staff and Committees, in the library and the research service, capable of producing long-range projections and interdisciplinary analyses, and optimum electronic facilities. Therefore, Anu concluded that an independent democratic parliament is more likely to result from adequate

resourcing and efficient parliamentary administration, effective parliamentary administration will be characterized by machinery that gives MPs-the stakeholders-decision making power about the priorities to be set for the use of those resources, and parliamentary officials must be constrained by the political and parliamentary system of which they are apart. Hence, as key advisers to Presiding Officers, they have a professional responsibility to be familiar with the options for developing parliamentary administration and their implications.

Effective legislatures shape policies and laws that address citizens' needs and promote long-term, equitable development. This aligns with the traditional functions of the legislature which are lawmaking, representation, and oversight. In fact, in any democratic setting, the legislature, according to Olufemi (2010), is the embodiment of the people's sovereignty. He also believes that it constitutionally makes laws for the general welfare of the populace, serves as a democratically empowered agency of restraint on the executive arm of government, and serves as a forum for the mobilization of popular participation in the broad governmental process.

2.3 Gap in Knowledge

From the literature reviewed, it is instructive to state that, none of the studies investigated the performance of legislative aides in the lawmaking process, even though they acknowledged its existence within the wider context of parliamentary support services. Most of the reviewed works were premised on faulty theoretical framework and research designs. Hence, the significant contribution of this present study to knowledge is that it interrogates the actual performance of legislative aides in the lawmaking process under the 8th session of the National Assembly of Nigeria.

2.4 Theoretical Framework-Structural Functionalism

This study adopts the Structural Functionalism theory or Functionalism as the framework for its conceptualization. According to Jack (2019) based on the concept of Bronislaw Malinowski, Structural Functionalism, or simply Functionalism is defined as a theoretical perspective in sociology and anthropology which views and interprets society as a structure with interrelated functional parts. Functionalism views society as a whole in terms of functions of its constituent elements which is a macro-level view.

Understanding the Functionalism perspective requires an overview of the opinions of Bronislaw Malinowski and A.R. Radcliffe Brown that underscored their aliases of Functionalist and Structural Functionalist respectively. Explicitly, Radcliffe-Brown was more concerned with social structure than biological needs. He proposed that a society is a system of relationships that maintains itself through cybernetic feedback, whereas institutions are orderly sets of relationships that serve to keep the society as a system running. Bronislaw Malinowski, on the other hand, believed that humans have a set of universal biological needs that are met by various customs and institutions. The role that any practice played in satisfying these biological needs, such as the need for food, shelter, and so on, was its function.

Overall, Structure refers to institutions. Every political system has several institutions such as political party, legislature, executive, judiciary, etc. Almond claims that all these were previously called institutions. The relevance of the Structural Functionalism theory stems from the fact that political system structures (such as political parties, interest groups, legislatures, executives, bureaucracies, and courts) are not clearly defined and properly patterned in structural functionalism, despite their immense importance. In the structural-functional analysis, one determines the important structures and then attempts to trace out the functions of these structures.

Certain structures exist in every political system and should not be confused with one another. In terms of functions, there could be some overlap between the functions of the structures. This overlapping, however, should not be overstated.

Explicitly, the 1999 Constitution of the Federal Republic of Nigeria (as amended) provides for separate arms of governments, i.e. Legislature, Executive, and Judiciary. In fact, Sections 4, 5, and 6 provide for the legislative, executive, and adjudicative functions of the legislature, executive, and judiciary respectively. Within this context, these separate arms depicting the various structures of Nigeria's political system perform dedicated functions for the overall effectiveness of the system. However, as already established, the centrality of legislative aides which represents one out of many resources required for the functioning of the legislature further underpins the notion of a structure and its functionality. Based on this, structural-functionalism was adopted as the framework for this study.

2.5 Justification for the adoption of this theory.

The legislature as a unified governmental structure is designed to deliver on its mandate of representation, oversight and lawmaking in synergy with other arms for good governance. Various actors in the system have specific functions assigned to them. While the legislators enact the laws, the bureaucracy and the legislative aides play a supportive role in the process. This aligns with the structural functionalism principle, hence its adoption as the substructure for the analysis of this study.

CHAPTER THREE

METHODOLOGY

This research is qualitative and exploratory. This chapter provides the research methods necessary to achieve the objectives of the study. They are grouped into the following headings: research design, study area, study population, sample size, sampling techniques, sources of data, research instruments and method of data analysis and presentation.

3.1 Research Design

This Study design was exploratory qualitative for which a combination of close-ended scaling questionnaire administration and secondary data was used. It was important to get informed knowledge from key informants on the performance of legislative aides in the lawmaking process under the 8th session of the Nigeria's National Assembly. The use of secondary data to validate the results of the questionnaire was to give strength to the data collected.

Secondary data was obtained from publications, National Assembly documents, text books, the Internet and review of related work. Data analysis was done using mainly descriptive and interpretative analysis and simple percentage statistical methods for the questionnaire.

The rationale is to get an in-depth analysis of the subject matter and comparative quality data for ease of analysis from data gathered from questionnaire and secondary data. Duration of time and logistics involved was considered in administering questionnaires.

As already established, legislative aides are at the core of any meaningful legislative process. However there are other knowledgeable key informants in legislative practices and procedures in the National Assembly which comprises the Clerk to the 2 chambers and their deputies, legislative officers and ranking legislators.

3.2 Study Area

The study area emphasizes the geographical delimitation of a study. Based on this, the study location was the National Assembly complex, located in the Central Business District, of the Federal Capital Territory (FCT) in the North Central Nigeria. The study area was restricted to both chambers of the National Assembly.

3.3 Population of the Study

A population is an entire group about which some information is required to be ascertained. For this study, the target population comprises the: staff of the National Assembly (5735, according to the Department of Statistics, National Assembly, 2022), out of which 2,345 representing 41% of the total staff strength are legislative aides who are personal staffs of the 469 legislators in the Senate and the House of Representatives.

3.4 Sample and Sampling Techniques

A sample is the small proportion of a population selected for observation and analysis. Sampling techniques is simply the methods used in drawing samples from total population. For this research the technique used for the questionnaire was random sampling. In a mixed of the stated population a random pick of 1 number of person in every 10 was used, i.e. 300 from the total number of legislative aides in the National Assembly.

Rationale: To gather information and understand the intention of the guidelines on the appointment and management of legislative aides in carrying out their duties. The results gathered from the field using questionnaire the existing data from secondary sources was used to validate the result gathered. The targeted respondents included ranking legislative aides that worked in the 8th session, Clerks of both Houses of the National Assembly and parliamentary staff.

3.5 Sample Size

The sample size used in the study was 300 legislative aides.

3.6 Sources of Data

The primary data was sourced from serving legislative aides and staffs of the 9th session of the National Assembly. While the secondary data was sourced from letters from the presidency to the National Assembly, Votes and proceedings of the National Assembly, and reports of Rules and Business Committee (HR) and the internet.

3.7 Research Instruments

3.7.1 Self-administered Questionnaire

Type: close-ended scaling questionnaire

Rationale: to enable respondent express the level of satisfaction or dissatisfaction without consequences and to ensure a high level of reliability of data to determine answers to questions 2 and 3 in line with research objectives.

Data source: Only legislative aides on grade levels 10 and above in the National Assembly.

Ethical consideration: no ethical Review Committee existed at NILDS at the time of study. However a cover letter was attached to the questionnaire stating the purpose and objective of the study and that the information obtained is solely for research purposes. Assurances relating to confidentiality and protection of data were given. Cultural Sensitivity was taken into account in the formulation of the questions and administration of the questionnaire.

Question formulation and Pilot testing: the questions were formulated using methodology textbooks, revised literature. Pilot testing was administered on colleagues to check the time used the adequacy of the questions in relation to the research objectives as set out in Chapter One.

The questionnaire had two parts: A and B. Part A included demographics such as sex, age, cadre, educational qualification and length of service. Parts B include 8 simple questions along the purpose, the problem and objectives of this study. Administration of the questionnaire: some of them were administered by me and collected, while a research assistant was deployed to administer the rest.

3.7.2 Apriori Expectation.

At the end of exploitation of the study design, the validated data from secondary sources and primary data from questionnaire served as a trusted benchmark to achieve the three objectives of the study.

3.8 Method of Data Analysis and Presentation

The data from the questionnaires were analyzed using statistical method of simple percentage. Overall, data were presented thematically with accompanying charts and tables.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSIONS

This chapter contains primary data collected from the field survey using self administered questionnaire and secondary data from reviewed publications and internet on the same subject matter.

4.1 Presentation of findings

4.1a Socio-Demographic Analysis of respondents to self administered questionnaires

Gender	Frequency	Percentage
Female	90	30
Male	210	70
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1a showed that 30% of the respondents were female, while 70% were male.

4.1b Analysis by age

Age	Frequency	Percentage
18 - 25	0	0
26 - 35	20	6.7
36 - 50	270	90
51 and above	10	3.3
Total	300	100

Source: Fieldwork survey, March, 2022

Tables 4.1b showed that 90 percent of the respondents were aged between 36 to 50 years, while ages 26 to 35 and 51 years and above were 6.7 and 3.3 percentage respectively.

4.1c Analysis of the employment status

Employment Status	Frequency	Percentage
Legislative Aide	270	90
Staff of National Assembly	25	8.3
Consultant	5	1.7
Total	300	100

Source: Fieldwork survey, March 2022

Table 4.1c present employment status of respondents which showed that 90% were legislative aides, while 8.3% and 1.7% were management staffs of the National Assembly and consultants respectively.

4.1d Analysis of Educational Qualification.

Educational Qualification	Frequency	Percentage
SSCE / OND	40	13.3
HND / BSC	180	60
PGD / Masters	80	26.7
Others	0	0
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1d: present the analysis of educational qualification of respondents which showed that 60% had first degree (HND/BSC), while 26.7% have a Masters degree and 13.3 have SSCE / OND.

Table 4.1e Analysis of length of service

Length of service	Frequency	Percentage
1 – 5 years	5	1.6
6 – 10 years	95	31.7
11 – 15 years	120	40
16 – 20 years	80	26.7
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1e: present the analysis of length of service of the respondents which showed that 40% have worked from 11 to 15 years, while 31.7% have worked for 6 to 10 years, 26.7% have worked for 16 to 20 years and 1.6 have worked for 1 to 5 years.

4.1.1 Objective 1: Examining the performance of legislative aides in the lawmaking process under the 8th session of the National Assembly.

4.1.1a: On the question: how many bills have you drafted in the past 7 years?

Table 4.1.1a Analysis of respondents

Variable	Frequency	Percentage
1 – 5	80	26.6
6 – 10	20	6.7
None	200	66.7
Total	300	100

Source: Fieldwork survey, March, 2022

From Table 4.1.1a: 66.7% of respondents have not drafted any bills for the past 7 years, while 26.6% drafted less than 5 bills and 6.7% drafted less than 10 bills.

4.1.1b: Has any of your bills been assented to?

Variable	Frequency	Percentage
Yes	5	2.7
No	295	97.3
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1.1b showed that bills drafted by 97.3% of the respondents have not been assented to, while bills drafted by 2.7% of the respondents have received assent. The implication is that most of the bills drafted and passed were declined assent.

4.1.1c: Do you have bill drafting skills?

Variable	Frequency	Percentage
Yes	10	3.3
No	290	96.7
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1.1c: results showed that 96.7% of respondents do not have bill drafting skills while, 3.3% only of the respondents have bill drafting skill which is very poor compared to the total number of aides.

4.1.2: Objective 2: To determine how the legislative aides contributed to the ineffectiveness of the lawmaking process under the 8th session of the National Assembly.

4.1.2a: On the question: How many training programmes have you attended in the past 7 years?

Variable	Frequency	Percentage
1 – 10	300	100
11 - 20	0	0
21 - 30	0	0
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1.2a: results showed that legislative aides had less than 10 training programs for the past 7 years as attested to by 100% of the respondents. The implication is that legislative aides have had very few trainings from the 8th assembly till date of study.

4.1.2b: Was any of the training about bill drafting?

Variable	Frequency	Percentage
Yes	10	3.3
No	290	96.7
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1.2c: showed that 96.7% of the respondents agree that the content of training was not about bill drafting. The implication is that the few trainings given to aides had nothing to do with bill drafting.

4.1.2d: Is your principal a ranking member?

Variable	Frequency	Percentage
Yes	90	30
No	210	70
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1.2d: showed that principals of only 30% of respondents were ranking members. This shows that majority of the legislators were new members that lacked legislative experience.

4.1.2e: From the list below tick your most challenging factor as a legislative aide

Variable	Frequency	Percentage
Lack of funds for research	80	26.7
Difficult principal	15	5
Poor remuneration	40	13.3
Absence of bill drafting policy in the office	30	10
Lack of training	110	36.7
Lack of office space and equipment	15	5
Value, interest and capacity of your principal	10	3.3
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1.2e: results showed that respondents considered the most challenging factor as legislative aides in this descending order: Lack of training (36.7%), lack of funds for research (26.7%), poor remuneration (13.3%), absence of bill drafting policy (10%), lack of office equipments (5%), difficult principal (5%) and value, interest and capacity of principal (3.3%).

4.1.3 Objective 3: To proffer measures that will enhance the performance of legislative aides in the lawmaking process of the Nigeria's National Assembly.

4.1.3a: Do you think that these suggested ways below can influence the performance of legislative aides in the lawmaking process?

Variable	Frequency	Percentage
Provision of funds for research	90	30
Training and re-training	140	46.7
Adoption of bill policy in the office	30	10
Provision of office equipments	40	13.3
Total	300	100

Source: Fieldwork survey, March, 2022

Table 4.1.3a: results showed that among the measures suggested to enhance performance of legislative aides in the lawmaking process, training and re-training ranked highest with 46.7% of respondents advocating it. Other measures advocated followed this order: provision of funds for research (30%), provision of office equipments (13.3%) and adoption of bill policy (10%).

4.2 Analysis of data

4.2.1 Objective 1: Examining the performance of legislative aides in the lawmaking process under the 8th session of the Nigeria's National Assembly.

Study showed that legislative aides have not performed effectively in the discharge of their roles in the lawmaking process. Findings indicated that 66.7% of the respondents have not drafted any bill in the past 7 years, while 26.6% have drafted less than 5 bills and 6.7% have drafted less than 10 bills. Out of the bills drafted only 2.7% were assented to while, 96.7% of respondents do not have drafting skills.

Objective 2: To determine the factors that influenced the contribution of legislative aides to the ineffectiveness of the lawmaking process under the 8th session of the Nigeria's National Assembly.

Findings showed that under the 8th session of the National Assembly the performance of legislative aides was influenced by factors such as: Lack of training, value, interest and ranking of members, lack of funds for research, difficult principal, poor remuneration, absence of bill drafting policy in the office and lack of office space and equipments..

Objective 3: To proffer measures that will enhance the performance of legislative aides in the lawmaking process of the National Assembly.

The study having determined that the performance of legislative aides under the 8th session of the National Assembly was largely poor; and having identified factors that influenced their performance as;

i. Lack of bill drafting policy:

A bill drafting policy is required to cultivate the art and methodology of bill drafting among the aides. To this effect a desk officer within an office is assigned with the function of making drafts or proposed bills as maybe requested by their principals. Unfortunately the absence of such policy has robbed off the competence and proficiency in bill drafting and scrutiny.

ii. Lack of funds:

There are no budgetary provisions to carry out research and office equipment. Such as laptops and internet facilities that would have been required to carry out research and follow up with bill scrutiny.

iii. Training and Capacity building:

The budgetary allocation for training of legislative aides is either too lean or nonexistent in our national budget especially between 2015 to 2019. It is pertinent to note that under the 8th session of the National Assembly, the legislative aides had only one training programme. At that the content of the training had nothing to do with bill drafting, tracking and research.

4.3 Discussion on findings

Using the objective by objective approach to the analysis of primary data sourced from self administered questionnaires; and secondary data collected from documents of the National Assembly, review of related literature and publications on the subject matter, findings showed that the performance of legislative aides under 8th session of the Nigeria's National Assembly was generally adjudged poor.

The study discovered that the foundation for the poor performance of the legislative aides in the lawmaking process was laid at the point of engagement to the extent that political consideration ranked higher than requisite qualification and experience in the requirement for their appointments. The resultant effect is that majority of the aides lack the capacity, aptitude and experience in the drafting of bills, motions, petitions and office correspondence.

However, where such aides possess the requisite qualification and experience the attitude and values of their principals affected their ability to play the required role in the lawmaking process. In addition, the level of education and experience, legislative ranking of such legislators dictated the level of their engagement with their aides. According to Hamalai et al, 2016, at the beginning of each new legislative session, usually not up to 30% of old legislators return, which has led to a

high turn-over rate. In addition there is no job security as their tenure is at the whims and caprices of their principals.

Some of the respondents also admitted that even under good natured principal's provision of research funds and office equipments such as laptops and internet for research were not made. The study found out that the legislative aides under the 8th session of the National Assembly were rarely engaged in any form of training; and that the contents of the only training done had little or nothing to do with bill drafting and irregular payment of salaries and duty tour allowances. Meanwhile before now training programs were organized on quarterly basis by the National Assembly Service Commission and the Management of National Assembly within and outside the FCT.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

This chapter contains the summary of the study, conclusion and recommendations

5.1 Summary of findings

The objective of this study was to examine the performance of legislative aides in the lawmaking process, determine the contributions of legislative aides to the ineffective lawmaking process under the 8th session of the National Assembly and advocate measures that will enhance their performance in the lawmaking process.

Applying objective by objective approach to the analysis of data the study found that on objective 1, the study found that legislative aides performed poorly especially under the 8th session of the National Assembly due to numerous challenges.

Objective 2, the study found that majority of the aides lack the capacity, aptitude and experience in the drafting of bills, motions, petitions and office correspondence because consideration for their employment was based on political consideration rather than the possession of requisite qualification and experience. The study found that they rarely engaged in any form of training and that the contents of the training done had little or nothing to do with enhancing the capacity of legislative aides in lawmaking.

The study further found out that their performance was influenced by the values, educational background, experiences and interest of their principals. Some of the principals lacked basic education that would have motivated their aides to carry out research, or lacked basic experience in parliamentary practices and procedures that should have spurred them to assign specific task to

their aides on a bill under legislative consideration, as a result of high turnover. On the other hand some of the legislators preferred the services of external consultants because of pecuniary benefits. The combined effect of lack of education, experience and interest made legislators to avoid regular discussions on their legislative agenda, nor provided research funds and office equipment.

5.2 Conclusion

The legislative Aides are integral part of the support staff of the National Assembly, though appointed at the “pleasure” of the legislators. Their roles in the effective discharge of the functions of the National Assembly with respect to representation, oversight and lawmaking had left much to be desired. This study was predicated on the ineffectiveness of legislative aides in the lawmaking process under the 8th session of the National Assembly which passed the highest number of bills that were not assented to by the President.

The objective of the study was to evaluate the ineffectiveness of the legislative aides as a contributing factor to the number of the bills passed but declined assent under the 8th session of the National Assembly through the contributions or lack of it, of legislative aides in the lawmaking process of the National Assembly and advocate measures that will enhance their performance.

This study adopted the Structural Functionalism theoretical framework and qualitative research design using close-ended self-administered questionnaire for primary data collection and secondary data from the review of previous work, literature review, textbooks, publications and documents of the National Assembly and internet.

Analysis of findings using objective by objective approach, the study found that the poor performance of the legislative aides in the lawmaking process was laid at the point of engagement to the extent that political consideration ranked higher than requisite qualification and experience,

the attitude, values and interest of the legislators. There were also other factors like, lack of training, lack of funds for research, lack of equipment and office space.

The study recommends training and re-training to build capacity, provision of research funds and the provision of office space and equipment.

The implementation of the proposed recommendations would enhance the performance of legislative aides in the lawmaking process of the National Assembly.

5.3 Recommendations

The study recommends training and re-training to build capacity. The National Assembly Service Commission in collaboration with the National Assembly management should organize quarterly training within and outside FCT beginning from the second quarter of next year. There may be a problem of funds but this can be overcome by the legislative aides and the Management of the National Assembly engaging critical stake holders like the legislators, National Institute for Legislative Studies (NILDS) and NGOs to increase budgetary allocations for training and organize free training programs respectively. The training will be specialized and geared towards increasing capacity in bill drafting, bill tracking, research and cross referencing for legislative aides in the National Assembly.

The study further recommends the provision of research funds. The National Assembly Service Commission can be prevailed upon to include in the conditions of service, research allowance in the form of a bulk one-off payment to the Senior Legislative aides (SLA) at least on annual basis. The challenge expected therein maybe objection by the legislators. However the inclusion of the proposed funds as allowance in the employment letters will mitigate this problem.

The study also recommends the provision of office space and equipment. The Management of the National Assembly should provide equipment such as laptops and e-library. The National

Assembly Legislative Aides Forum (NASSLAF) should in collaboration with the Management of National Assembly engage some governmental organizations like the National Republican Institute (NRI) and National Democratic Institute (NDI) and NGOs to support the provision of equipment in a situation where there are no funds. It will provide the aides with the much needed tools for research and a conducive environment to work.

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Appendix 1

Table 1.1 Representation of some bills declined assent under the 8th assembly.

S/N	BILL TITLE	DATE	REMARKS
1	THE NIGERIAN AERONAUTICAL SEARCH AND RESCUE BILL, 2018	28 TH February, 2019	Due to many inconsistencies with the bill and not in tandem with relevant International Civil Aviation Organization (ICAO) regulations.
2	THE NIGERIAN FILM COMMISSION BILL, 2018	5 th March, 2019	Because some sections of the bill conflicts with some sections in the National Film and Video Censors Board Act.
3	THE SMALL AND MEDIUM ENTERPRISES DEVELOPMENT AGENCY BILL, 2018	27 th March, 2019	Because the introduction of 2.5% levy will increase tax burden and public recurrent expenditure.
4	THE FEDERAL ROADS AUTHORITY (ESTABLISHMENT) BILL, 2018	12 TH December, 2018	Because the bill is capable of rendering the entire technical workforce of the supervising Ministry redundant.

5	THE ELECTORAL (AMENDMENT) BILL, 2018	26 th July, 2018	Due to drafting issues that may affect the interpretation and application of the principal Act.
6	THE PETROLEUM INDUSTRY GOVERNANCE BILL, 2018	29 th July, 2018	Due to conflicting provisions and drafting issues in the bill
7	THE NATIONAL RESEARCH AND INNOVATION COUNCIL (ESTABLISHMENT) BILL, 2017	30 th August, 2018	Because the bill will be difficult to implement and there were also incorrect references in the bill.
8	THE FEDERAL MORTGAGE BANK OF NIGERIA BILL, 2018	19 th March, 2019	Due to some omissions and conflicting sections of the bill.
9	THE NATIONAL BIOTECHNOLOGY DEVELOPMENT AGENCY BILL, 2018	19 th March, 2019	Due to drafting errors
10	THE CLIMATE CHANGE BILL, 2018	5 th March, 2019	Due to replication of functions, too expensive to maintain and lacks legal draftsman expertise.
11	THE NATIONAL INSTITUTE OF CREDIT	19 th March, 2019	Because it creates multiplicity of regulations that can cause

	ADMINISTRATION BILL, 2018		difficulty in doing business in Nigeria.
12	THE NATIONAL TRANSPORT COMMISSION BILL, 2018	12 th December, 2018	Because the increase in the percentage of charge will cause hardship.

Source: office of the Clerk to the National Assembly

Appendix 2

2.5 The Revised Guidelines on Appointment and Management of Legislative Aides, 2019

In compliance with The provisions of the National Assembly service commission act, 2014 as amended, the National Assembly service commission pursuant to section 13 (1) and (2) issued guidelines for the appointment and management of legislative aides. The first edition of the guidelines issued in August, 2015 was revised in June, 2019. The main features of the guidelines include;

Rule 1: defines the legislative aide as a temporary staff in a parliamentary bureaucracy nominated and appointed at the pleasure of the legislators and whose tenure is determined by the legislators.

However, the National Assembly Service Commission in collaboration with the Revenue Mobilization Allocation and Fiscal Commission (RMAFC) determine the minimum academic qualification and cognate experience required for the appointment and remuneration of the five different cadres of legislative aides approved for each legislator in the National Assembly in order to ensure effective discharge of their duties.

Table 2.1 Cadre of Legislative Aides in the National Assembly

S/N	CADRE	GRADE LEVEL
1	Senior Legislative Aide	13 - 16
2	Legislative Aide	10 - 12
3	Legislative Aide Assistant	08 - 09
4	Personal Assistant	08
5	Secretary	07 - 09

Source: National Assembly Service Commission, 2019

Table 2.4.1 presents the approved cadre and salary grade level for legislative aides to members of the National Assembly.

Rule 2: provides the qualities of prospective legislative aides to include but not limited to the following: Ability to work independently with minimal guidance, Effective time management on priority issues, Understanding the form and structure of legislation and related matters, Be able to prepare and edit reports and other information, Explain rules, regulations and policies of the National and State legislature, Obtain and impact information tactfully and accurately, Exercise initiative and good judgment, Conduct basic research and compile data on legislation and policy issues. Etc.

Rule 3: deals with schedule of duties of the legislative aides. to include but not limited to the following; Conducting research; Assisting in the preparation and distribution of correspondence on bills with potential impact on the policies and operation of the constituency; Research on bills and law; Contacting constituents; obtaining reports issued by committees and state agencies for use by constituents; Preparing briefs, write-ups and speeches etc.

Rule 4: is on the Tenure and Resignation and Replacement of the legislative aides

Rule 5: Conditions for appointment of staff in the National Assembly Service commission or National Assembly Service as Legislative Aides

Rule 6: Entitlements of Legislative Aides (Allowances)

Rule 7: Categories of Legislative Aides and Grade Levels

Rule 8: Entitlement of Aides by presiding officers

Rule 9: Methods of Application

Rule 10: Documentation and Requirements of Legislative Aides

Appendix 3

QUESTIONNAIRE

Lawmaking process in the Nigeria’s National Assembly: The role of legislative aides (2015-2019)

Dear respondent,

I am a masters degree student at the National Institute for Legislative and Democratic Studies NILDS/UNIBEN program, currently carrying out a research project on the topic “lawmaking process in the Nigeria’s National Assembly: the role of legislative aides” in partial fulfillment of the requirement for the award of Masters in Parliamentary Administration (MPD).

I seek your support by responding to the questions below. Your responses will be treated with high level of confidentiality and information obtained will be strictly used for academic purposes.

Thank you.

PART A: DEMOGRAPHY

1. Gender

- Male
 Female

2. Age

- 18-25
 25 -35
 35 – 50,
 50 and above

3. Employment status

- Legislative aide
 Staff of National Assembly
 Consultant / Others

4. Educational qualification

- SSCE /OND
 HND / BSC
 PGD/ Masters
 Others

5. Length of service?

- 1-5
 6-10
 11-15
 16-20

PART B

Objective 1: Examining the performance of legislative aides in the lawmaking process

under the 8th session of the Nigeria's National Assembly

6. How many bills have you drafted in the past 7 years?

- 1 – 5
 6 - 10
 11 and above
 None

7. Has any of your bills been assented to?

Yes

No

8. Do you have bill drafting skills?

Yes

No

Objective 2: What factors influenced the contribution of legislative aides in the lawmaking process under the 8th session of the Nigeria's National Assembly.

9. How many training programs have you attended in the past 7 years?

1 - 10

11 - 20

21 – 30

10. Was any of the training about bill drafting?

Yes

No

11. Is your principal a ranking member?

Yes

No

12. From the list below tick your most challenging factor as a legislative aide

Lack of funds for research

Lack of office space and Equipments

Difficult principal

Values, Interest and Capacity of your boss

Absence of bill drafting policy in the office

Lack of training

Poor remuneration

Objective 3: To advocate measures that will enhance the performance of legislative aides in the lawmaking process of the Nigeria's National Assembly.

13. Do you think that these suggested ways below can influence the performance of legislative aides in the lawmaking process?

Provision of funds for research

Provision of office space and equipment

Adoption of bill drafting policy in the office

Training and retraining