

**LEGISLATIVE OVERSIGHT AND GOOD GOVERNANCE: A STUDY OF NIGERIA  
NATIONAL ASSEMBLY, ABUJA**

**BY**

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**PG/NLS/17/18/4041**

**BEING A RESEARCH DISSERTATION SUBMITTED TO THE NATIONAL  
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**FEBRUARY, 2020**

## **DECLARATION**

I hereby declare that this dissertation is a product of my own research efforts undertaken under the supervision of Professor Victor E. Ekhaton. It is an original work and no part of it has been presented for the award of any degree anywhere. All sources of information used have been duly acknowledged through the references.

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**APPROVAL PAGE**

This is to certify that this dissertation “Legislative Oversight and good Governance: A case study of the Nigeria National Assembly, Abuja” 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 is approved for contribution to knowledge.

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## **DEDICATION**

This dissertation is dedicated to God Almighty for His grace that has never waned in my life, to my colleagues whose support and backing I received when I began to pursue Legislative career as officer in the National Assembly, and all those who are in pursuit of academic excellence

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## **ABSTRACT**

This research work examined four fundamental questions on Legislative oversight and good Governance with specific objectives including assessment of the tools used by the National Assembly for legislative oversight. It examined the capacity of the National Assembly for comprehensive legislative oversight, and ascertained the extent to which the National Assembly has ensured accountability and Good Governance. The factors that affect effective legislative oversight and solutions were also attended to.

The method employed by the researcher was survey research method which mainly dealt with questionnaires with questions to respondents drawn from the sample population made up of staff of National Assembly, Ministries Departments and Agencies (MDAs), Civil Society and Non-Governmental Organizations (NGOs). Results in percentages in tabular form were used as analytical tool. The researcher administered 355 questionnaire to the entire population and was able to present to approximately 35% of the population as sample size.

The study revealed that oversight, and public hearing were the most used tools in overlooking and that oversight functions of the legislature promotes good governance, transparency, accountability, rule of law, reduced corruption and increased efficiency in public administration. It also exposed the inadequate capacity of the National Assembly to conduct effective oversight because of lack funding, trained staff and lack of committee rooms for meetings.

The research among others, recommended that adequate funding and capacity building for Committee staff and members of the National Assembly be improved, procurement of operational vehicles, and provision for more committee rooms/office for members of staff. It also recommended provision of office equipment, consumables, internet facilities and library services in the office complex.

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## CHAPTER ONE

### INTRODUCTION

#### 1.1 Background to the Study

Legislature serves as essential constituent for any democratic government and major factor in its sustenance, its existence predates the advent of modern democracy. It has been noted that the emergence of the legislature dates back to the 12<sup>th</sup> century and a product of medieval European civilization. The popularity of the legislature cannot be divorced from the wave of democratic growth across the continents. Indeed, if democracy is a system anchored on the informed and active participation of the people, the legislature is a vehicle for equal and wider representation (Yaqub, 2004).

The existence of Legislative institution comprises representatives of the people as a hallmark of democratic government from non-democratic ones. The legislature differs in composition from one system of government to another as well as in their modes of representation. For instance, in a parliamentary system, members of the Legislature are fused with members of the Executive while in the Presidential system, the Legislature and Executive are separated from other Arms of government by different individuals to promote good governance. However, in some countries like Nigeria, the legislators are elected, while in some other countries they are appointed. In spite of the differences in legislatures across the world, they have a common structural character that distinguish them from other arms of government in a democracy. The common feature of legislator is their relation between members is not that of authority and subordination but that of equality of members since they derive their authority from being representatives of the people (Saliu 2004). The legislature may exercise different functions from time to time depending on the political system; the two cardinal principles of legislatures in democratic setting is law making and acting as watchdog on behalf of the people, without which democracy becomes messed up. Odinga (1994) noted that:

If the constitution is the embodiment of the aspirations, ideals and collective will of the people, the parliament is the collective defender and watchdog of the aspiration, ideals and collective will of the people. If the constitution is the social contract between the people and government, the parliament is the advocate for the people and the arbiter of the national interest. Indeed, if the constitution is like the Bible, Quran and other religious treatises the covenant between the people and their leaders, the parliament is the repository and protector of the oracles of the political covenant and social contract between the people and government.”

Consequently, for any democracy to grow, the legislature not only make laws for the good ordering of the society (including appropriation laws) but must as well ensure that such laws and others are not violated by other arms like the Executive. It does this by acting as watch-dog over their policies through its oversight functions. Most constitutions tend to document these two important functions of the Legislature. In other words, legislatures accomplish their tasks through men and women of proven integrity and good character that eschew temptations of falling to such issues legislated against. It is by this action that the legislature can be considered as a sub-unit of good governance and democratic sustenance. The extent to which the Nigerian legislature has conformed to this pattern shall be our focus after a background on the current Legislative House and the Senate chambers at Abuja. The floor of standardized legislative chamber must be composed of a team of experts renowned in natural and social science disciplines.

## **1.2 Statement of the Problem**

It is pertinent to say that the responsibility of the government is to provide effective and efficient framework and enabling environment to enhance the social, physical, financial and general well-being of the populace. It is not debatable that a critical instrument for the organization of the state is the Law which government relies on, day in, day out to ensure societal equilibrium. Legislation which is a product of institutionalized Law-making process is by far the most important arsenal from which government derives its laws. The foregoing, therefore, lends credence to the avowed roles and responsibilities of legislation as a source of law in any society and by implication, on the Legislature which is wholly and constitutionally responsible for making these laws.

The task of this research is to examine the extent to which legislation can promote good governance and sustainable development, to analyze against the idiosyncrasies of the law, the

constitution and constitutionalism in Nigeria and the extent to which good governance had been promoted through legislation. This research, as daunting and challenging as it may appear, is best navigated by citing concrete illustrations from Nigerian jurisprudence.

Good governance involves far more than the power of the State or the strength of political will. The rule of law, transparency and accountability are not merely technical questions of administrative procedure or institutional design. They are outcomes of democratizing processes driven not only by committed leadership, but also by the participation of, and contention among groups and interests in societal processes that are most effective when sustained and restrained by legitimate effective institutions. Despite the huge resources that Nigeria has, the citizen have day by day been impoverished as evidenced in the huge infrastructure deficit all over due to corruption and mismanagement right from the military era to the present democratic dispensation. Since 1999, Nigeria has enjoyed uninterrupted democratic governance and is expected that there should be increase in the level of accountability and good governance in the country. However, there has been no correspondence level of development within the period of democratic experiment due to endemic and massive corruption as well as bad governance in the country.

Good governance and legislation go *pari passu*, if the legislature were free from Executive influence and lobby by politicians and other stake holders in the polity. In Nigeria, the problem of legislation has been hampered by a lot of accusations of corruption and using the legislature an instrument to fight as well as protection of ego between the Law makers and the Executive. The legislature by default is an independent arm of government that checks the excesses of the Executive, thereby creating checks and balances for the democratic system. Once the leadership of the legislature is influenced, it is breeding ineffective legislation and incompetency among the legislators. Other factors that were also pertinent with the legislative success in Nigeria, includes lack of openness in governance, unemployment, poverty,

insecurity, absence of basic infrastructure, human rights violations inequality and poor service delivery among others. It is in line with this, that the researcher seeks to examine the role of the National Assembly in holding the Executive to account and thereby promoting good governance. Based on the preceding antecedents, it is imperative to ask the following questions;

- i. What tools does the National Assembly use for Legislative oversight?
- ii. Does the National Assembly have the capacity for comprehensive legislative oversight?
- iii. To what extent has the National Assembly ensured accountability and good governance in Nigeria?
- iv. What are the factors that affect effective legislative oversight and the solutions to overcome such challenges in promoting accountability and good governance?
- v. What is the relationship between legislative oversight and Good Governance in Nigeria?

### **1.3 Objective of the Studies.**

The broad objective of this research is to examine the Legislative oversight and Good Governance in Nigeria. The specific objectives of the study are to:

- i. Assess the tools used by the National Assembly for legislative oversight;
- ii. Assess the capacity of the National Assembly for comprehensive legislative oversight ;
- iii. Ascertain the extent to which the National Assembly has been able to ensure accountability and good governance in Nigeria.
- iv. Determine the factors that affect effective legislative oversight and to proffer solutions to overcome such challenges in promoting accountability and good governance.

- v. Examine the relationship between legislative oversight and good governance in Nigeria.

#### **1.4 Research Hypotheses.**

- (i) The National Assembly is not effective in the performance of its Legislative oversight
- (ii) There is no significant relationship between Legislative oversight and Good Governance in Nigeria.
- (iii) There is no significant relationship between the National Assembly's accountability and Good Governance in Nigeria

#### **1.5 Significance of the Study**

This research is significant in that it's examined Legislative oversight and good Governance in the National Assembly. It looked at what other scholars have done with a view to bridging the gap and suggest ways in which the society will be better. It is also conceived that the study will be beneficial to the teachers, lecturers, academia, students and researchers this forms the academic significance of the study. The research findings could also be used as policy document by both government and other social institutions in the business of environmental sanitation. Policy makers will formulate their policies based on the recommendations of this research. It stands to serve as both a source of reference for further studies; this forms the policy significance of the research.

On the societal significance, the findings will be beneficial to the employee of the National Assembly and the legislators who are responsible for Law-making. The study will be of benefit to the media who will evaluate the effectiveness of the legislation in other to ensure good governance and appraise the performance of the government of the day, and criticize when necessary for better governance. Furthermore, this study will equally benefit the citizens by awakening their consciousness to demand for accountability and good governance through their elected representatives.

## **1.6 Scope and Limitations of the Study**

This study examines legislative oversight and good governance as case study of Nigerian National Assembly and covers a period of four years (2015-2019). Emphasis were laid on effective performance, capacity, accountability and good governance of her statutory responsibility of legislatives oversight. Some initial difficulties were experienced in administering questionnaire on the legislatives staff, MDAs and CSOs and coupled with financial constraints.

## **1.7 Operational Definition of Terms**

**Legislative oversight:** Legislative oversight refers to the legislature's review and evaluation of selected activities of the executive branch of government. The Legislative branch conducts oversight activities because it has not only the power to enacts new programs for the State, but also has a duty to ensure that existing programmes are implemented and administered efficiently, effectively, and in a manner consistent with Legislative intent. While oversight is one of the major focuses of Legislative Committees, it is an integral part of the Legislative process that is often difficult to separate from the Law-making process. Oversight is the focus of some selected committees and special oversight committees and can also be part of the hearings and work of standing committees.

**The Executive:** This is the arm of government that is responsible for executing the Law

**National Assembly:** This refers to the second arm of government responsible for the enactment of Law made up of Upper Chamber (Senate) and Lower Chamber (House of Representatives).

**Legislator:** This word would be used to refer to the elected representative of the people in both the Senate and the House of Representatives.

**Legislature:** This refers to the second arm of government responsible for enacting Laws

**Parliament:** It refers to an institution of Law-making body which members are also referred to as Parliamentarians and in Nigeria, members of National Assembly.

**Organs or Branches of Government:** These words are used inter-changeably to denote Legislature, Executive and Judiciary.

## CHAPTER TWO

### LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This Chapter examined extant and relevant literature on the subject matter which acted as a road map for the study. The scholarly works of many researcher will be greatly documented to pave way for better understandings which agrees with the adage “Two heads are better than one”

#### 2.1 Conceptual Review

##### The Concept of Oversight Function

Heywood (2007) explained that the oversight function can also be referred to as scrutiny. According to Cosmeus (2016), the primary role of the legislature in public policy process is that they are responsible for holding governments accountable in their decisions and they scrutinize the government in their actions. In recent times, the legislators have become increasingly a scrutinizing body of the Executive so as to deliver responsible and accountable government.

Shafritz, Russell and Borick (2016), explained that the oversight functions take many forms and the `most common is the annual (in a place like the US) congressional hearings of agency’s budget requests where agencies have to defend or justify their activities to the satisfaction of the Congress. At some other times, subpoena power may be used to summon reluctant agencies or public officials. The constitution in most places gives a legal backing to the oversight function of the legislature in which it can monitor the activities of the Executive branch and its agencies to determine if public projects or programmes are being adequately executed.

According to Saiegh (2014), the oversight function or role of the legislature means ensuring the implementation of laws, ensuring that legislation and government policies are implemented effectively. Monitoring, reviewing and investigating programmes and activities of government

to ensure that the actions taken are transparent, accountable and consistent according to the original intent as allowed by the constitution.

According to Frolick (2016), Legislators have the legal backing, authority and responsibility to hold governments to account in their activities. Ojo and Omotola (2014) also posited that, Legislators hold Ministries, Departments and Agencies of government accountable in their activities to the public. Not only do they hold the Executive accountable in their functions, they also have the power to approve or confirm appointments made by the Executive and Judiciary. Such appointments include that of ministers, chairmen, Ambassadors, Chief Justice of the Federation, Federal Commissions and Councils, Justices of the Supreme Courts and the Chief Judge of the Federal High Court. The Legislators through their oversight function, rise up to ensure that funds appropriated for government institutions are utilized for the purpose they were allocated for to ensure that citizens get value for their money.

According to Posner and Park (2007) the legislators' authority to appropriate public funds has been the foundation for public budgeting and accountability. The fundamental power of appropriation gave the legislature formative influence in allocating funds among competing priorities. And the varying influence of legislators in budgeting is reflected in the different political systems. For example, the prime minister in UK can be crossed examined once a week and the legislators can subject other senior ministers to similar scrutiny once a week if there is mismanagement in the federation's account (Heywood, 2007).

According to Pelizzo and Stapenhurst (2004) in the presidential systems, the legislative oversight function is normally a routine of checks and balances which is part of separation of powers. Conversely, in parliamentary system, it may be politically difficult for legislative committee to question ministers since they are also members of parliament. In such cases a regularly scheduled question and answer period will serve the purpose by allowing opposition members to question the Ministers, challenging the decisions of government on policies and

programmes. Ewuim, Nnamani and Eberinwa (2014) stated that the oversight function of the Legislators is a major component of modern day legislature irrespective of the system of government. This according to Saliu and Muhammad (2010) as cited by Ewuim, Nnamani and Eberinwa means the legislative body takes active role in understanding and monitoring the performance of the Executive arm and its agencies regularly. The principle behind this function of the legislature is to ensure that public policy is administered in accordance with the legislative intent. The oversight functions also involve watching and controlling the activities of government through general debates, questioning of ministers, agencies and other public officials. They can also conduct investigation of committees and where necessary impeach officers they find opposed to democratic performance in their activities. For example, section (1) (a-b) of the Nigerian constitution provides that each House of the National Assembly shall have power to direct or cause to be directed an investigation into any matter or thing with respect to which it has the power to make laws and the conduct of affairs of any person, authority, ministry or government department charged or intended to be charged, with the duty of or responsibility for executing or administering laws enacted by the National Assembly.

This is to expose corruption, inefficiency or wastages in the execution of public programmes (Agba, Chukwurah & Achimugu, 2014). The oversight role of the legislators according to Malapane (2016) is to ensure that the policies of government represent the needs of the people and the Parliament, Congress or National Assembly and should be seen to be performing the role to the benefit of all citizens of the Nation and this should be emphasized. Malapane went further to list the purposes of the oversight functions by the legislature: it is to improve the efficiency, economy and effectiveness of government operations; to evaluate programmes and performance; to investigate and prevent poor administration, to avoid waste, abuse of power, arbitrary and illegal and unconstitutional conduct, to protect civil liberties and constitutional rights and lastly to inform the general public and ensure that executive policies reflect public

interest. The legislators have the power over the policy, budget, security issues, procurement of defense equipment, investigating the activities of the armed forces and the deployment of the military in a state of emergency. However, political system, constitutional and legal framework marginalize the role of the legislature to the executive in formulating and implementing policies in this regard.

Legislators serve as overseers of the Executive on behalf of the general public (Kotia, 2011). Nwagwu (2014), explained the oversight function has been compromised by many legislators (especially in a place like Nigeria) and it now appears to preoccupy modern day Legislators. It also appears as if this function is more important to the Legislative Assembly than that of Law-making functions as Legislators now take this function more seriously than the Law-making function. In fact, in many countries, Legislators now use the oversight function to witch-hunt and blackmail political opponents rather than use it to checkmate the excesses of the Executive arm of government in order to curb or guide against corruption, inefficiency and waste of public funds.

### **Concept of the Legislature**

A legislature is a deliberative assembly with the authority to make laws for a political entity such as a country or city. Legislatures form important parts of most governments and in the separation of powers model, they are often contrasted with the Executive and Judicial arm of government. Laws enacted by legislatures are known as primary legislation. Legislatures observe and steer governing actions and usually have exclusive authority to amend the budget or budgets involved in the process. The members of a legislature are called legislators. In a democracy, legislators are most commonly popularly elected, although indirect election and appointment by the Executive are also used, particularly for bicameral legislatures featuring an Upper chamber. Names for national legislatures include "Parliament", "Congress", "Diet", and "Assembly", depending on country. Each chamber of the legislature consists of a number of

legislators who use some form of parliament procedures to debate political issues and vote on proposed legislation. There must be a certain number of legislators present to carry out these activities; this is called a quorum. Some of the responsibilities of a legislature, such as giving first consideration to newly proposed legislation, are usually delegated to committees made up of a few of the members of the chamber(s). The members of a legislature usually represent different political parties; the members from each party generally meet as a caucus to organize their internal affairs.

### **2.1.1 Functions of the Legislature**

Modern democracies all over the world, have three arms or organs of government the Executive, the Legislature, and the Judiciary. These arms are the creation of the constitution which allocates roles to the various arms of government, Consequently, the arms of government (Executive, Legislature and Judiciary) are created by section 4, 5 and 6 of the 1999 Nigerian constitution (as amended), respectively. Section 4 of the 1999 constitution (as amended) created the legislature and further allocates it powers and functions.

Johnson (2005) explained that legislature vary in size, duration of office, how they are elected, how they relate with the Executive, their responsibilities in law-making and budgeting, how they oversee the spending activities of the Executive and in many other ways. Similarly, National Institute for Legislative Studies (NILS-2004) posited that the role of the legislature vary from country to country and from system to system. This is a valid observation since democratic countries operate different systems of government, at different stages of development; allocate different powers to legislature through the constitution. Legislature performs three (3) basic functions which are representation, lawmaking and oversight functions (Pelizzo, 2013, Amucheazi, 2013).

Heywood (2003) enumerated Political Recruitment, Scrutiny, Legitimacy and impeachment as well as leadership development as functions of the legislature. These functions are discussed below:

i. **Representative Function of the Legislature**

This is one of the core functions of legislature in modern democracies. Citizens identify more in personal ways with legislators than other officials, hence, it is common to hear them talk of my Member of Parliament, my Congressman, my Senator. This is moreso, as the election of the members of the legislature is based on constituencies. Johnson (2003), also pointed out that on the contrary, citizens never talk of “my President” “my Judge” or “my Bureaucrat”, noting that such differences is rooted in geography, ethnicity, religion, political identification, gender or other characteristics

Habu (2012) also alluded to this fact, noting that representation includes political belief, religion, ethnicity, business, economic and social interest. On the other hand, Baskin (2013) opined that the classical notion of representation are that the legislature is a policy-making institution and a representative of “all societies” He noted that as delegates and trustees of the people, they express and develop views of constituencies and national interests. Legislature is closest to the people, but a representative listens to the people he represents, makes decisions and exercises influence on their behalf (Pelizzo, 2013). While Amucheazi (2013) sees representation as beyond articulation of citizens’ preferences as it also involves contributing to translating preferences into policy through enacting legislation.

On his part, (Habu, 2012) believes that representation entails “defending”, promoting and even “fighting” for the interest of the people. This is in theory and in ideal situation, but in practice it’s otherwise. Effective representation can enhance through identifying with the constituency, willingness to accept ones role as a representative of the people as well as the electoral necessity. Another aspect of representation is accessibility or openness of legislature in

comparison with other branches of government. This is because some legislature conduct open plenary sessions to the public and press, members of the public attend committees meetings; publish committee's schedules on media outfits and other channels. In a representative democracy, the "legislature acts as the eyes, ears, and voice of the people" (Mill, 1962), while Polsby (1975) calls it "never-ending" of the polity.

ii. **Law Making Function of the Legislature**

The second core function of the legislature is to make laws and rules that govern the society. In Nigeria, the power to make laws for peace, order and good governance in the country is vested on the National Assembly, which comprises of the Senate and the Federal House of Representatives. Section 4(1) and (2) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) stated as follows:

1. The legislative power of the Federal Republic of Nigeria shall be vested in the National Assembly of the Federation which shall consist of the Senate and House of Representatives.
2. National Assembly shall have powers to make laws for the peace, order and good governance of the Federation or any part thereof, with respect to any matter included in the exclusive legislative list set out in part one (1) and of the second schedule to this Constitution.

Societies are dynamic and keep changing, therefore, there is need to repeal, amend or even make new laws to accommodate changing situations. Amucheazi (2013) stated that a law that is outdated and irrelevant in values is letting down those it is intended to serve and protect. The law should be able to respond to various situations and scenarios resulting from changes in society such as new forms of criminal activities, changing social values, morality, significant events, and ethics and changing technologies among others.

### iii. **Oversight and Scrutiny Function of the Legislature**

National Institute of Legislative Studies (NILS 2014) stated that over time, legislatures are increasingly becoming involved in scrutiny, which aim is to deliver a government that is responsible and accountable. Thus, the legislature is expected to ensure that government activities and programmes are carried out in line extant laws.

#### **2.1.2 Concept of Good Governance**

Good governance recognizes accountability in terms of improving the delivery of public services, measuring performance and providing incentives to achieve targets and sanctions in case of non-performance. Accountability is not to be viewed only in terms of democratic control and integrity of operations but also in terms of performance.

The term good governance, just like accountability cannot be easily defined but can at best be described as it has varied and broad connotation (Dogara, 2016). According to him, the only closest description to good governance is the fundamental objectives and directives principles of the state policy which is contained in chapter 2 of the 1999 Nigerian constitution of the Federal Republic of Nigeria (as amended). It is his opinion that whenever the state aspires and attains these principles, it can be said to have attained good governance. This means therefore that it was the intent of the framers of our Constitution that government should provide good governance. Unfortunately, these fundamental and directive principles are mere principles, as failure to implement them is not justifiable before any law court.

Governance is the process of decision-making and the process by which decisions are made and implemented (or not implemented). On the other hand, Good governance is defined as the process of allocating resources through the instrumentalities of the State for the attainment of public good. Thus, good governance include institutional and structural arrangements, decision making processes, policy formulation and implementation capacity, development of personnel, information flows and the nature and style of leadership within any political system. Hence,

good governance is about problem identification and solving it. (Ogundiya, 2010). In order to achieve good governance, the three arms of government must function efficiently and perform their tasks with integrity and commitment (Sharma et al, 2012). In their view, the objective of good governance is to facilitate the development of people and the society at large. It is also aimed at transforming the social, political and economic life of the people. In this regard, any government that meets or satisfies the yearnings or needs of the people with respect to development is good governance. Good governance is evident when there is increase in the living standard of the people and massive developments are seen all over.

On what constitutes good governance, Johnston (2016) and Sharma et al (2012) identified participation, accountability, transparency, rule of law, consensus-oriented, effectiveness/efficiency, responsive, inclusiveness/equity as elements of good governance.

For instance, where the Legislature hold the Executive to account, is known as horizontal accountability while vertical accountability is a means through which citizens, the media and civil societies seek to enforce standards of good performance on government officials. Newer forms of accountability comprise social and diagonal accountability. Democracy thrives where electoral accountability abounds. Government is electorally accountable to citizens who elected them into office. It has the responsibility to tell the people what it does, how and justifies same. This type of accountability can only be rewarded or punished at elections. Voters are provided with information on whether to vote officials out or retain them, depending on their performance in office. This means that the voters can shape incentive for effectiveness of the legislature through their demands, since they are the ultimate source of power. In contrast, corporate or institutional accountability is a situation where an organization is accountable for its performance or behavior while government/public accountability denotes the examination of the conduct of individuals in institutions of authority.

A situation where elected representative or appointed public officials are required to render account of their activities during their tenure of office. Political Accountability is seen when heads of governments and MDAs appear before the legislature to render account of their actions.

However, to Asobie (1991), accountability is an external control on public office holders which must satisfy four criteria:

- (i) There must be timely, honest, accurate, complete, adequate and relevant information on the actions of those entrusted with public funds.
- (ii) There must be independence of external auditors of the organization/ministry/departments being entrusted.
- (iii) There must be arrangement which will enable resources on the basis of such information to correct deficiencies, reward honourable performance, penalize fraudulent dealings, call to question all forms of abuses and redress illegal acts; and
- (iii) A system must exist to protect the three elements above.

### **2.1.3 The Legislature, Accountability and Good Governance.**

Out of the three arms of government, the legislature is a key player in ensuring accountability and good governance. To achieve accountability and good governance, strong, effective and efficient legislature is required (Obasa, 2016). Concurring with Obasa, (2017) observes rightly that it requires the existence of an active, strong and efficient legislature in order to achieve accountability and good governance. All the three arm are created and allocated functions by the constitution of the state. Nigeria is not exception; consequently, sections 4, 5 and 6 of the 1999 constitutions (as amended) created and allocated roles to the Legislature, the Executive and the Judiciary respectively.

#### **2.1.4 Legislative Oversight as an Instrument for Accountability and good Governance**

Legislatures in democracies share a lot of characteristics in their function, size, organization and modus operandi yet they vary in quite a number of ways. Among the functions of the legislature, the Legislative oversight is crucial to holding the Executive to account. Vemey (1969) corroborates this when he stated that the function of watch dog is, perhaps, more important to an assembly than law-making. Mezy (1983) sees legislative oversight as the power of the representative body to have control over the executive and its agencies; while Hudson and Wren (2007) define oversight as “keeping an eye on the activities of the executive and on behalf of citizens holding the executive to account”. In a related way Woodrow Wilson defines oversight as the “duty of a representative body to look diligently into every affair of government and talk much about what it sees. It is meant to be the eye, the voice, and to embody the will and wisdom of its constituents.

Legislative oversight is also the review, monitoring and supervision of government and public agencies including the implementation of policy and legislation”. As representatives of the people, they are expected to keep an eye on the executive on behalf of Nigerians. The legislative oversight power of the National Assembly is rooted in sections 88(1a) and 89 of the 1999 constitution (as amended) which states as follows:

(1) Subject to the provisions of this constitution, each House of the National Assembly shall have power by resolution published in its journal or in the Official Gazette of the Government of the Federation to direct or cause to be directed an investigation into —

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

This power is located in the doctrine of check and balance propounded by Baron De Montesquieu, where all arms of government exercise some level of control over the excesses of the other. This fact is also corroborated by Johnson (2005) where he states that the oversight is one of the “check and balance” functions through which it seeks to ensure that programs are carried out legally, effectively, and for the purpose for which they were intended. The way legislative oversights are conducted vary from country to country due to differences in political system, structure, formal oversight powers, available resources and legislative oversight tools, political will, capacity of the legislature, access to budget information etc. (NILS, 2014).

However, to guard against the abuse of such legislative oversight power, the 1999 constitution (as amended) in section 88 (2) (a) and (b) defines the scope of such legislative oversight powers. Thus, by the provision, the National Assembly can only exercise such powers as it relates to making laws on matters within its competence and to expose corruption, inefficiency or waste in the course of execution of laws, disbursement or administration of funds appropriated by it.

Through the provision of the above section and the subsections, the legislature is vested with power to oversee the exercise of power by the executive. This power enables the legislature to hold the Ministries, Departments and Agencies (MDAs) of government accountable for their actions and inactions. The legislature can hold government accountable through its legislative oversight in several ways. First, the appropriation Act i.e. the budget of the state, that is expected to improve the socio-economic conditions of the citizens and bring about development is authorized by the Legislature through the budget process. Furthermore the legislature oversees the government expenditure as observes by Obasa (2016) that since the legislature allocates funds, it ensures that the public gets value for the money appropriated and ensure that the institutions are run in accordance with the law. The Legislature has the responsibility of ensuring that the Appropriation Act as passed by it is adhered strictly to, or

implemented by the executive as intended. Through its legislative oversight, the National Assembly through its standing committees embark on legislative oversight visits to projects sites of MDAs to ensure that value are obtained from resources committed to such projects. This will ensure that dividends of democracy are delivered to the people. Furthermore, as part of the budget process, the Legislature always invites the MDAs for budget appraisal and defense. During the budget appraisal, The Legislature normally invites the MDAs to explain to it how money appropriated to them for the current year was expended, justifying its actions and challenges encountered in the course of the implementation of the budget.

The Legislature is expected to have gone on oversight visit to ascertain physically what was on ground, the extent of implementation, resources already committed and the one expected to complete the projects. The essence of such visit is to establish the existence of such projects, verify claims of resources expended and whether the work conforms to standards or not. This gives the Legislature a fair idea of what is achieved and what is not achieved, and what are responsible. The budget defense is also another opportunity for the MDAs to defend before the legislature their proposed budgets. They explain to the legislators why such items, projects, services, personnel etc. are needed and at such costs, or why such items are not needed and the proposed amounts should be moved to other items that are much needed and more productive.

This has the capacity to engender accountability and culminate in good governance. The Legislature too can ensure accountability and good governance through public hearing of its committees. Through public hearing, the legislature can hold government officials accountable as rightly observes by Pellizo (2013) that hearings are also most common oversight tools utilized by committees while they also have powers to summon government ministers and invite senior officials as well as witness if deem necessary to gather information on government activities and policy implementation and keep government accountable. Questions are asked in order to review executive actions to see whether they were in conformity with the

laws or not and come up with corrective measures for improvement in the system as a whole. In some instances, new laws are enacted, old ones repealed or amended. This window too can afford non-governmental organizations, stakeholders, and the general public the opportunity to hold government accountable, participate in demanding for good governance and contribute to proposed legislation. Proceedings of most hearings are transmitted on the televisions and carried by the print media. It can generate information and provide access to information which is capable of promoting accountability and transparency. Closely related to public hearing is the public investigative hearing. Sec. 88 and 89 of the 1999 constitution (as amended) empowers the National Assembly to minimize waste in the system, promote accountability and expose corruption. Investigative hearings by the Legislature always call the executive to account for their actions before the legislature (horizontal accountability or institutional accountability).

The Legislature can also promote accountability and good governance through its committee on Ethics and Public Petition. This Committee has the mandate to review complaints received on various subjects from citizens on government officials to ensure that they are not unjustly treated. Rule of law ensures that those in authority lead by the rules. Unfortunately, sometimes some leaders, who are vested with authority, rule at their whims and caprices. Hence the Legislature through its Ethic and Public Petition Committee ensures that rule of law as well as rights of citizens are protected or not unjustly infringed upon. Section 86(1) and (2) of the 1999 constitution also empowers the legislature to screen and confirm nominees by the president for certain appointments like the ministers, ambassadors, chairmen of boards and parastatals, CBN governor, commissioners etc. Similarly, the legislature through its Public Account Committee (PAC) can hold government accountable as posits by Pellizo (2013), it is most specialized oversight committee that reviews government expenditure and ensures government accountability. The Auditor General, who is an independent government

appointee, has the mandate of carrying out comprehensive audit of the accounts of all the MDAs and submits reports on them to the Legislature. When these audit reports are received, the Public Account Committee, normally chaired by a legislator in the opposition party, studies the reports, and where there are queries or lapses, invite the MDA or MDAs concerned for further interrogation. Once the committee is done, it can forward its recommendation to the plenary to pass it in form of resolutions that will direct the executive to implement as a remedy to such anomalies.

### **2.1.5 Relevance of Effective Legislative Oversight and Good Governance**

Legislative oversight in every government is key and a significant tool in holding government accountable. Scholars have captured the fundamentality of Legislative oversight in governance differently but much related. According to Madue,(2012) legislative oversights are conducted for reasons which include:

- (i) Ensure transparency and openness of executive activities. Legislatures shed light on operations of government by providing a public arena in which the policies and actions of government are debated, scrutinized, and subjected to public opinion.
- (ii) Hold the executive branch accountable. Legislative oversight scrutinizes whether the government's policies have been implemented and whether they are having the desired impact.
- (iii) Provide financial accountability. Legislatures approve and scrutinize government spending by highlighting wasteful expenditure within publicly-funded services. Their aim is to improve the economy, efficiency and effectiveness of government expenditure.
- (iv) Uphold the rule of law. The Legislatures protects the rights of citizens by monitoring policies and examining potential abuses of power, arbitrary behaviour, and illegal or unconstitutional conduct of government.

The purpose of oversight, Pelizzo and Stapenhurst (2012, 2013) explained that where oversight function is effectively performed, government is kept accountable, democracy work well, and corruption is kept under control. Puts in another way, Pellizo and Stapenhurst (2014) asserts that legislative oversight is capable of promoting transparency, less corruption and makes the political system work better. Barkan (2010) contends that legislative oversight “ensures both the vertical accountability of rulers to the ruled as well as horizontal accountability of other government agencies to one branch the legislature” Despite the importance of legislative oversight, some conditions must be available to make it effective. Pellizo and Stapenhurst (2014) argue that the legislatures’ ability, successfulness and effectiveness in performing their constitutional mandate depend on conditions such as proper tools, and support. They add that the legislature needs political will to use the resources, the tools and the power they have at their disposal. Therefore, they argue that the effectiveness with which legislature performs its oversight function is a major determinant of government accountability. Thus, where the legislative oversight of the executive is carried out in an effective and efficient way, it can ensure that government activities are carried out legally and efficiently.

**Challenges of the Legislature and good governance:** It is not contestable that the legislature has a crucial role in promoting and good governance in Nigeria. However, such important and significant role is hampered by a lot of challenges. Such challenges according to Johnson (2005) include:

#### **2.1.6 Transparency and Moral Rectitude of legislative oversight process**

This is a great challenge to the role of the legislature in the promotion of good governance. The acceptability of the outcome of an oversight function will to a large extent depend on how transparent the process is and the moral rectitude exhibited by the legislature. NILS (2014) point out that the effectiveness of legislative oversight activities depends on the integrity and

transparency of the process, noting that the ability of the legislators to resist corruption and inducement<sup>88</sup> are vital in oversight. The Legislature will do well, if it can be more open in the conduct of its business. Most of the oversight activities of the legislators are usually impaired by corrupt practices and inducement by those whose assignments are to be scrutinize. Oversight functions become mere government activities that would not produce results when the moral rectitude of the legislators is questionable. It therefore implies that result-oriented oversight would be carried out by legislators with high and unquestionable integrity

### **Availability of Information and Data from the Executives**

Knowledge, they say is power and for the legislature to be able to oversight the executive as it should, records or information on the activities of the executive is necessary to enable it make informed decisions and hold government accountable. NILS and NSNL (2014) put it that it is impossible to have a meaningful oversight where information and data is lacking. It is expected that with the Freedom of Information Act in place, citizens, non-governmental organizations and even the legislature will have more access to information aside that in section 88 and 89 of the 1999 Constitution (as amended) which grant the legislature the power to invite any chief executive of ministry, department and agency in respect to activities of his organization. Freedom of Information legislation comprises laws that guarantee access to data held by the state.

They established a “right to know” legal process by which requests may be made for government-held information, to be received freely or at minimal cost barring standard exceptions. Also referred as open records governments are also typically bound by a duty to publish and promote openness. In many countries there are constitutional guarantees for the right to access to information but usually these are unused if specific support legislation does not exist. A basic principle behind most freedom of information legislation is that the “Burden

of proof' falls on the body asked for it. (Wikipedia, 2011). Freedom of Information means walking into any government ministry or and government establishment requesting to view certain Information like contracts awarded and tenders etc. Freedom of Information guarantees the right of an unhindered access to public Information Including Information held by all Federal government branches and agencies, as well as private institutions in which any Federal, State or Local government has controlling interest and those private institutions performing public functions.

In addition the freedom of information required these Institutions to take unilateral steps to become more transparent as part of this provision, the institutions will be required to make public data on the programmes and functions of their divisions, internal manuals used by employees in executing their functions, their finances and their names, title and income of all their employees (Goitom, 2011). This law is seen as victory for democracy. With the new law in place, Nigerians finally have vital tools to uncover facts corruption, and hold officials and institutions accountable. This will enable the oversight function of the legislature. This law will profoundly change how government works in Nigeria "Now the legislators can use the oxygen of Information and knowledge to breathe life into governance. It will no longer be business as usual" Sahara Reporters, 2011). This law is a testament to the staying power of the civil society, demonstrating how committed groups can work together to ensure laws which support the right of the people. Abuah who was of the office of the special Adviser to the president on media and publicity also state that, the objective of the Act is to make publics records and information more freely available... and to protect public records and information to the extent consistent with the public interest of personal privacy" (Sahara Reports 2011). This law is expected to protect serving public officers from any adverse consequences of disclosing certain kinds of official Information without authorization. Section 4 of the law provides that when a public institution receives an application for information, it shall make such information available to

the applicant within 7 days, if such an institution feels that such information cannot be granted, it will inform that applicant in writing stating the reason for such a decision and the section of the law under which the refusal is made.

## **2.2 Empirical Review**

Scholars in the social sciences have continued to conduct series of research on the different aspects of the operations of legislative oversight with the objectives of attaining good governance in Nigeria. (Adebayi, 2011) conducted a research “the constitutional provisions of the National Assembly The study was aimed at making bare the provisional responsibilities of the legislature which also included oversight functions and to use oversight function and also discussed cases of lack of transparency, accountability and effectiveness in the discharge of legislative-oversight in Nigeria. The study equally identified challenges of the National Assembly in carrying out oversight function in the study area. These were with the view to providing information on the impact of legislative oversight on good governance in the country. The study showed that relevant provisions of the 1999 constitution empowered the National Assembly to undertake effective oversight in Nigeria.

The study equally found that oversight function of the legislature has not been transparent and effective because it has been abused overtime. The study equally found that the National Assembly oversight function is hampered by a number of challenges such as corruption, party politics, self-serving behaviour, absence of trust, and flexing of muscle for supremacy with the executive organ of government. He concluded his study that the National Assembly has not strengthened good governance by use of its oversight function.

Akomolafe and Bosede (2012), argued that the Legislature is truly not independent of the executive and is truly not independent of the executive and therefore is often incapacitated from acting as the watching dog of executive activities. Thus, the incriminate ambition of members and leadership of the Legislative houses often see them bob-lobbig with the executive

such that valuating time for law-making is lost in the process of lobbying for juicy leadership position of committees in the legislature houses pursue pure selfish interest than often inhibit them from combating the challenges of law-making. Members pursue contracts from the leadership of the house and often even from the executive such that they easily compromise when it comes to contributing meaningfully to debate on the floor of the house.

Aguda (2012), made reference to the time- honored procedure for the conduct of judicial or quasi-judicial proceeding which has long been well established by the court in all the common law countries, including Nigeria. The procedure required that any person against whom any allegation is made or whose interest maybe adversely affected by such allegation or by any statement made must be clearly and fully informed of such allegations in advance of any trial and or investigation involving the accused.

Fashagba (2013), in his work, opined that the Legislative can be graphically presented under the following thematic headings:

(i) The Power to make Approval-To ensure good government and trust in the democratic process the Legislative is empowered to perform certain oversight of the executive through approval powers of the former over some policies of the later. For instance, its mandatory for the President to send the list of nominees for top government position to the Legislative for scrutiny and approval/rejection before such appointment could be made. For the first time under the Forth-Republic; the exercise of this power has been challenge by the Buhari-led administration, following the power of the Senate rejection of the executive nominee for the Chairmanship of the Economic and Financial Crime Commission (EFCC) by the Senate. The President has disregarded the constitution by retaining a rejected nominee a s the read of thee EFCC Also certain government policy proposals must be sent to the Legislative which will be properly examine and debate them before they are passed into law or otherwise.

(ii) The power to conduct investigation-;The essence of the legislature conducting investigation on those matters appropriated to it by law is to ensure or make its legislation apparently effective for good governance. The National Assembly has from time to time used this power to investigate the departments, ministries and agencies of government. In recent times, the investigation of subsidy disbursement, the utilization of the subsidy disbursement in 2012, the utilization of subsidy re-investment funds and SURE-P fund in 2018 and others are clear examples of the power of the central Assembly to investigate the practice for the Legislature to conduct investigation for the good governance of the country, but the question is, how effective and transparent is the legislative houses is carrying out these investigation.

Osundo, 2012 in his work titled: legislative practice in Nigeria: the activities of the House of Representatives' (2011-2015) He utilized data from a field survey conducted on 120 respondents, in addition to copious evidence derived from previous studies in his field work, it was apparent that effective legislative oversight is a precursory measure to the attainment of good governance goals. According to him, a series of events placed the National Assembly in the spotlight of a rising conversation on oversight performance. Constitutional issues, budget delays and poor performance, inconclusiveness of high profile investigations into corrupt practices and breach of public trust and the unsavory role of some legislators in managing the crises are some of the serious issues he examined. He concluded that the performance of oversight functions can only translate to socioeconomic benefits for Nigerians if and when sections of the Constitution of the Federal Republic of Nigeria (CFRN, 1999) are revisited and amended, when legislators see the incentive in advancing the national interest over self-interest and political party affiliations. Also, maximum cooperation from the executive agencies and departments will make it a reality.

### **2.3 Theoretical Framework**

The theoretical framework for this study is premised on the structural functional theory, otherwise known as structural functionalism, which has its origin in the works of notable theorists like Emile Durkheim, Herbert Spencer, Talcott Parsons, Robert K. Merton and others. This theory is used by Sociologists to understand the world. The main thrust or central idea of this theory is that it sees society as a structure with interrelated parts designed to meet the needs of the individuals in that society.

Spencer (1898) described similarity between the society and the human body (organism); he explained that just as the various organs of the body work together to keep the body functioning, so also is the various parts of the society social institutions or patterns of beliefs and behaviours focused on meeting social needs such as government, education, family, healthcare, religion and the economy Durkheim (1893). Durkheim believed that the society is a complex system of interrelated and interdependent parts that work together to maintain stability. He applied Spencer's theory to explain how societies change and survive over time.

Radcliff Brown (1952), defined the function of any recurrent activity as the part it plays in social life as whole and therefore the contribution it makes to social stability and continuity. According to Parsons (1961), in a healthy society, all parts work together to maintain stability which he called dynamic equilibrium. Another structural functionalist, Merton (1968) pointed out that social processes often have many functions. Government is a structure which is made up of many parts.

The 1999 Constitution of the Federal Republic of Nigeria (as amended) provided for a federal system of government with three arms or organs, namely the legislature, the executive and the judiciary. These arms are also allocated functions by the same constitution. The legislature make laws for the peace and order of the state, the executive executes the laws made by the legislature while the judiciary interprets the law in case of any dispute, and for the system

(government) to maintain stability or equilibrium, every organ must perform its functions effectively and efficiently too. Specifically, oversight is one of the core functions of the National Assembly which must be exercised over the executive in order to ensure accountability and good governance. The constitution in most places gives a legal backing to the oversight function of the legislature in which it can monitor the activities of the executive branch and its agencies to determine if public projects or programmes are being adequately executed. According to Frolick (2016), legislators have the legal backing, authority and responsibility to hold governments to account in their activities.

Ojo and Omotola (2014), also posited that, legislators hold ministries, departments and agencies of government accountable in their activities to the public. Not only do they hold the executive accountable in their functions, they also have the power to approve or confirm appointments made by the executive and judiciary. Such appointments include that of ministers, chairmen, Ambassadors, Chief Justice of the federation, federal commissions and councils, justices of the supreme courts and the chief judge of the Federal High Court. The legislators through their oversight function, rise up to ensure that funds appropriated for government institutions are utilized for the purpose they were allocated for to ensure that citizens get value for their money.

Although this theory has been criticized for not encouraging people to take active role in changing their social environment even when it will benefit them. It is further criticized for seeing social change as undesirable. Despite these criticisms, the theory is relevant because it helped to explain the role of the National Assembly's oversight in accountability and good governance.

## **CHAPTER THREE**

### **METHODOLOGY**

This Chapter discusses the procedure adopted by the researcher in conducting this study. It described how data and information were obtained to answer research questions raised. Popoola (2011) identifies the following as major components of a research methodology research design, the population of study, sampling procedure, sample size, research instrument(s), validity and reliability of research instrument, sources of data and method of data analysis. The methodology is central in determining the acceptability of the research results.

#### **3.1 Research Design**

Survey research methodology was adopted for the study to get the thought, opinions and feeling of Legislative oversight and good governance in the Nigeria National Assembly.

The survey research is a very variable tool for amending opinion and trends. According to George (2012), a survey research is the use of an instrument or procedure that ask one or more questions that may or may not be answered. Therefore, survey was used in order to get adequate, timely and firsthand information via questionnaires to permit informed decision on the Legislative oversight and good governance a case study of Nigeria National Assembly.

#### **3.2 Sources of Data**

Both primary and secondary methods of data collection was utilized in this study. The primary source involved the distribution of questionnaires to 355 staffs across different grade levels of the National Assembly. The secondary sources constituted documented literature such as textbooks, journals, magazines, staff nominal roll, newspaper publications, the internet and unpublished papers relating to this study. In addition, questionnaires were also distributed to two prominent NGOs working on the issue of Legislative oversight.

Their input is essential is essential to determining the impact of National Assembly's oversight functions on good governance.

### 3.3 Study Location

The research was conducted in the Abuja-FCT which is the seat of legislative arm of government in Nigeria. The National Assembly comprises of the Senate, the House of Representatives and Management. It is located in the Three Arms Zone of the central business district of Abuja, Nigeria.

### 3.4 Population of the Study

The population of this study consist of three thousand, one hundred and seventy-seven (3,177) staffs of the National Assembly

### 3.5 Sample Size and Sampling Technique

The essence of sampling is to reduce the overall population under the study to a manageable size in order for the researcher to survey within the target stipulated research/period/time. The research used random sampling technique.

Random sampling is a part of sampling technique in which each sample has an equal probability of being chosen. A sample chosen randomly is meant to be an unbiased representation of the population table. Sample size distribution of questionnaire.

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

Where n = the simple size

N = population size

e = error of sampling (0.05)<sup>2</sup>

$$n = \frac{3177}{1 + (3177 \times 0.05^2)}$$

$$n = \frac{3177}{9.5}$$
$$n = 334.42$$

n = 335 Sample size

Therefore, based on Taro-Yamane's formula computed above, the sample size for study stood at three hundred and fifty five (355). A set of questionnaire was administered using Random Sampling techniques and their responses would form the basis of our findings.

### **3.6 Research Instrument**

For the purpose of this study, the questionnaire was used and hence the Instrument was divided into two parts; A part dealt with respondents demography while the second part B had close questions to enable the respondents express themselves with options.

### **3.7 Method of Data Analysis**

Simple percentages, ratios and tables as well as Chi-Square were used to analyze and evaluate the data collected from the field on the subject matter.

## CHAPTER FOUR

### DATA PRESENTATION AND ANALYSIS

This chapter presents and analyzes the data obtained from the respondents during the field survey. It is displayed in tabular form, accompanied by brief explanation or interpretations of the pattern of the responses to each question.

#### 4.1 Descriptive Statistical of Background Information of Respondents.

**Table 4.1.1 Distribution of Questionnaires**

Questionnaire	No. of Respondents	Percentage (%)
Returned	330	93%
Not Returned	25	7%
Invalid	Nil	Nil
<b>Total</b>	<b>355</b>	<b>100%</b>

**Source: Fieldwork, 2019**

Table 4.1.1 represents the number of questionnaire distributed. The table shows that three hundred and fifty five (355) questionnaires were administered on the population sample out of which three hundred and thirty were filled and returned.

**Table 4.1.2 Ranks of the Respondents**

Rank	No. of Respondents	Percentage (%)
Director	-	-
Deputy Director	46	13%
Assistant Director	241	68%
Below Assistant Director	68	19%
<b>Total</b>	<b>355</b>	<b>100%</b>

**Source: Fieldwork, 2019**

Table 4.1.2 represents the ranks of the respondents. From the table, none of the respondents is a Director. However, 13% were Deputy Director while Assistant Director. But 19% respondents were Deputy Director while below the rank of Assistant Director.

Table 4. 1.3 Duration the respondents have as Committee Clerks

<b>Duration served as Committee Clerk/Your organization</b>		
11 years and above	230	65%
5 – 10 years	88	%
0 – 4 years	37	10%
<b>Total</b>	<b>355</b>	<b>100%</b>

**Source: Fieldwork, 2019**

Table 4.1.3 represents the duration respondents have served as committee clerks from the table, respondents 65% said they have served as committee clerks and above while 25% respondents had served. Lastly, 10% respondents served for years.

Table 4.1.4 Qualifications of the Respondents

<b>Highest Qualification</b>		
Ph.D.	-	-
Master’s Degree/Equivalent	230	65%
First Degree/Equivalent	125	35%
Less than First Degree/Equivalent	-	-
<b>Total</b>	<b>355</b>	<b>100%</b>

**Source: Fieldwork, 2019**

Table 4.14 shows the educational qualifications of the respondents. From the table, none of them has Ph.D but 65% had master's degrees or its equivalent. Similarly, 34% of the respondents had first degrees or its equivalent. None of them has less than first degree.

Table 4.1.6 Gender of the Respondents

<b>Gender</b>		
Male	234	66%
Female	121	34%
<b>Total</b>	<b>355</b>	<b>100%</b>

**Source: Fieldwork, 2019**

Table 4.1.6 above represents the gender of the respondents. The table shows the 66% respondents were male while 34% were female.

Table 4.1.7 Age range of the Respondents

<b>Age</b>		
51 – 60 years	244	69%
41 – 50 years	107	30%
31 – 40 years	40	1
Less than 31 years	-	-
<b>Total</b>	<b>355</b>	<b>100%</b>

**Source: Fieldwork, 2019**

Table 4.1.7 shows the age range of the respondents. From the table, of the respondents 69% were between the respondents 30%.

## **4.2 Analysis of Research Questions**

### **Objective one**

The first objective of the study is to find out if the National Assembly has been discharging its constitutional role of legislative oversight. Consequently, answers to the following questions were sought.

1. How frequently does your organization monitor legislative oversight?

Table 4.2 Frequency of Legislative Oversight

Frequency of Oversight	None	1-2	3-5	Above 5
Oversight visit	21	42	103	189
Public hearing	46	78	185	46
Investigation	39	131	185	-
Bill referral	14	71	199	71
Petition	202	85	68	-
Interactive session	225	46	84	-
Committee (ad-hoc and special)	103	174	74	-

**Source: Fieldwork, 2019**

Table 4.2 shows the analysis of responses in respect to frequencies of legislative oversight performed. In relation to the frequency of oversight visit, 6% of respondents said they had none while 12% said they had one to two oversight visits. On the other hand, 29% of respondents said they had three to five oversight visits while 53% said they had above five oversight visit. Similarly, on the frequency of public hearing, 13% of respondents said they had none but 22% said they had one to two public hearings 52% said they had three to five public hearings but 13% of respondents said they had above five public hearings. Regarding the frequency of investigation, 11% say they had none, 37% respondents said one to two investigation while 52% respondents said they had three to five. None say above five. Furthermore, on bill referrals, 4% respondents say they had none while 20% respondents say they had one to two referrals but 56% said they had three to five referrals, 20% respondents said they had above five. Meanwhile, on the frequency of petition, 57% respondents said they had none while 24% respondents said they had one to two petitions. On the other hand 19% said they had three to five petitions but none say they had above five petitions. Furthermore, on the frequency of

interactive session, 63% respondents said they had none while 13% respondents say they had one to two interactive sessions.

Then 24% respondents said had three to five interactive sessions while none say they had above five interactive sessions .With respect to the frequency of ad-hoc/special committee, 29% respondents said they had none while 50% respondents said they had one to two ah-hoc/special committees, 21% respondents said they had three to five ad-hoc/specials while 19% respondents said they had above five ah-hoc/special committees. However, on the frequency of question, 60% respondents said they had none while 19% respondents said they had one to two questions but 21% respondents said they had three to five questions. None say above five. Therefore oversight visit has the highest frequency of five and above followed by investigation, bill referral, interactive session, petition, public hearing and investigation which frequencies are three to five. However, the frequencies of question and ad-hoc/special committee are one to two. On the other hand, ombudsperson, question time and interpellation have none.

In line with the first objective of the study that the National Assembly has been discharging its constitutional role of Legislative oversight, Nwagwu (2014) affirmed that Legislative oversight function is the eye of the people in government that watch and monitor the activities of the Executive arm and its agencies in the implementation of laws programmes and policies meant to serve the collective interest of the electorates. It dictates waste, inefficiency, ineffectiveness, corruption, mismanagement of public resources

**1. What was the most important legislative oversight tools used during the National Assembly?**

Oversight tools	SA	A	SD	D	U
Oversight visit is the most important tool used	220	107	-	28	-
Public hearing is the most important tools used	170	114	71	-	-
Investigation is the most important tool used	156	81	28	90	-
Bill referral is the most important tool used	131	107	-	64	43
Petition is the most important tool used	-	68	145	103	39
Interactive session is the most important tool used	-	74	191	90	-
Committee (ad-hoc and special) is the most important tool used	-	74	191	90	-
Question is the most important tool used	-	53	212	90	39
Ombudsperson	-	-	220	95	28
Interpellation is the most important too used	-	-	18	124	46

Source: Fieldwork 2019

Table 4.2 shows the pattern of responses by respondents in respect of the assessment of importance attached to legislative oversight tools used during the National Assembly. Then 62% respondents agree that oversight visit is the important legislative oversight tool but 30% respondents disagree to it. On public hearing, 8% respondents agree that public hearing is the most important legislative tool used while 48% respondents disagree. Furthermore, in respect of investigation, 32% respondents agree that investigation is the most important legislative oversight tool used 20% respondents disagree. On the other hand, respondents 44% respondents agree that bill referral is the most important legislative oversight tool used but 23% respondents disagree. The 8% respondents are undecided. However, 25% respondents agree that petition is the most important legislative oversight tool used but 37% disagree. In similar way, 8% respondents agree that interactive session is the most important legislative oversight tool used but 25% respondents disagree while 37% respondents are undecided. On committees

(ad-hoc and special) as the most important legislative oversight tool used, 23% respondents agree while 8% respondents disagree to it. In another respondents 25% respondents agree that question is the most important legislative oversight tool used but 37% respondents disagree.

Regarding Ombudsperson as the most important legislative oversight tool and 33% respondents disagree while 18% respondents are undecided. Responses on Question time as the most important legislative oversight tool used shows that 12% respondents agree but 19% respondents disagree while 41% respondents are undecided. Finally, 29% respondents disagree on interpellation as the most legislative oversight tool used but 11% are undecided. Summarily, the analysis confirms that the most important legislative oversight tool used is oversight visit 62%, public hearing 48%, investigation 44% and bill referral 37%, while other tools are slightly used or never used at all.

Therefore, in line with the first objective of the study, Tables 4.7 and 4.8 confirm that the National Assembly has been discharging its constitutional role of legislative oversight through various legislative oversight tools. This agrees with a prior study by Stapenhurst, Jacob and Olaore (2016) that the National Assembly possesses the tools and constitutional power to undertake oversight.

## **Objective Two**

The second objective of the study is to assess the capacity of the National Assembly in relation to legislative oversight. As a result the study asked the following questions in order to measure the capacity of the legislature.

2. How will you or your organization assess National Assembly in terms of under listed resources and capacity?

**Table 4.3 Assessment of Committees' Resources and Capacity**

Resources	SA	A	SD	D	U
Sufficient funds are provided for committee activities	-	42	312	-	-
The committee has required number of staff	195	166	-	-	-
The committee membership has sufficient job knowledge and skills required	-	25	-	-	103
The committee staff have sufficient job knowledge and skills required	202	25	-	92	-
The clerk has an office to himself	213	-	412	-	-
The committee staff have enough office that accommodates them	28	128	160	39	-
The committee has its permanent committee room	-	-	224	111	-
The committee has sufficient office equipment and consumable	18	117	81	139	-
There are efficient and functional internet and library service	-	128	117	75	35
The committee always has vehicle available for its service	-	42	185	128	-

Source: Fieldwork, 2019

Table 4.3 shows analysis of responses in respect of committee's resources/capacity from the analysis; of the 12% respondents agree that funds provided for committees' activities are sufficient while 88% respondents disagree to that. However, all the 55% respondents agree to that the committees have enough number of staff. But on job knowledge and skill of committee's membership, 45% respondents agree they have the requisite job knowledge and skill while 71% respondents disagree. Similarly, 29% respondents agree that the committee staff have sufficient job knowledge and skill while two hundred and two 57% respondents disagree. Regarding offices for committee clerks, 17% respondents say they have offices to themselves but 26% respondents disagree that the committee clerks have offices to themselves but 60% respondents disagree that the committee clerks have offices to themselves. Furthermore, on offices for committee staff, 40% respondents agree they have sufficient offices that accommodate them while 8% respondents disagree. On permanent committee rooms for committees, all the 36%) respondents said no committee has a permanent committee room. For

office equipment's and consumables are provided for committees but 45% respondents disagree to that. Regarding functional/efficient internet library services, 11% respondents agree that internet and library service provided are functional and efficient but two hundred and 69% respondents disagree while 31% are undecided. Finally, on availability of vehicles for committees' activities, only 5% respondents agree that vehicles are always available while 33% respondents disagree. Based on result of the analysis, it can be concluded that committees have sufficient job knowledge and skill. However, the committees have sufficient number of staff, their membership as well as the committee staff has sufficient job knowledge and skill. However, the committees suffer from paucity of funds, no permanent committees rooms. Furthermore, the committees lack sufficient office equipment's and consumables, efficient and functional internet/library services as well as vehicles for committee activities. Based on table 4.9, the study confirms that committees have adequate number of staff, sufficient job knowledge and skills by both committee members and staff and average number of offices but are lack inadequate funds, operational vehicles, offices and committee room.

### Objective Three

The third objective of the study is to ascertain the extent to which the National Assembly has been able to ensure accountability and good governance. Hence the following question is asked

1. How will you access legislative oversight outcomes of the committees of the current National assembly in the following areas?

**Table 4.4** Outcomes of legislative Oversight

<b>Outcomes</b>	<b>SA</b>	<b>A</b>	<b>SD</b>	<b>D</b>	<b>U</b>
Promote accountability	224	50	-	61	-
Promote rule of law	174	96	-	85	-
Promote transparency	156	88	43	85	-
Reduce corruption	135	156	-	43	21
Lead to efficiency	117	128	50	60	-

Source: Fieldwork, 2019

Table 4.10 shows responses in respect of the assessment of the effectiveness of oversight outcomes of committees of the 8<sup>th</sup> National Assembly, from the analysis to two hundred and 69% respondents say legislative oversight promotes accountability while 14% respondents disagree. On promotion of rule of law, 17% respondents agree that legislative oversight promotes rule while 49% respondents disagree to that. Furthermore, 27% respondents say it promotes transparency while 24% respondents say it reduces corruption while 44% respondents disagree. Finally, 25% respondents agree that legislative oversight leads to efficiency while 12% respondents disagree. Therefore, in line with the third objective the study confirms that the National Assembly has been able to ensure accountability and good governance in Nigeria which agrees with the position of, Lefenwan and Gberevbie (2007) that effective Legislation in governance enhance transparency, accountability, efficiency and fidelity in government

2. How will you rate the effectiveness of the under listed oversight tools in promoting accountability and transparency in governance?

**Table 4.5 Effectiveness of Oversight Tools**

<b>Oversight</b>	<b>Very Effective</b>	<b>Effective</b>	<b>Average</b>	<b>Neutral</b>	<b>Not Effective</b>
Oversight visit	206	103	46	-	-
Public hearing	75	195	21	64	-
Investigation	60	178	42	-	75
Bill referral	60	60	213	22	-
Petition	-	-	207	82	66
Interactive session	-	-	24	16	44
Committee (ad-hoc and special)	-	39	199	-	117
Question	-	21	86	28	220
Ombudsperson (public complain commission)	-	-	60	160	135
Question time	-	71	46	39	199
Interpellation	-	-	50	110	195
	-	-	-	-	-

Source: Fieldwork, 2019

Table 4.5 shows the analysis of responses by respondents on the effectiveness of oversight tools. On the effectiveness of oversight visit, 58% respondents say it is very effective while 29% respondents say it is effective. Then 13% respondents however say it average. None is neutral or say it is not effective. On the effectiveness of public hearing, 21% respondents say it is very effective while 55% respondents say it is very effective yet another 6% respondents say it is average but 18% respondents are neutral. None say it is not effective. Furthermore, responses on the effectiveness of investigation shows that 17% respondents say it is very effective while 50% respondents say it effective. However, 12% respondents say it is average. None was neutral but 21% respondents say it not effective. Regarding the effectiveness of bill referral, 17% respondents say it is very effective while 17% respondents say it is very effective while 60% respondents say it is effective. And 6% respondents say it is average while 58% respondents are neutral. None say it is not effective. Analysis of responses in the effectiveness of petition show that none of the respondents say it is very effective or effective. However, 23% say it average while 19% are neutral 24% say it is not effective. Regarding the effectiveness of interactive session, no respondent say it is very effective or effectiveness. Then 29% respondents say it is average while 19% are neutral. However, 52% respondents say it not effective. In respect of effectiveness of ad-hoc and special committee, none of the respondents say it very effective but 6% say it is very effective. The 24% respondents say it is average. No respondent is neutral but respondents 8% however say it is not effective. Furthermore, on the effectiveness of question, no respondents say it very effective but 62% respondents say it is effective. On the other hand 17% respondents say it is average while 45% respondents are neutral.

Majority 38% respondents say it is not effective. Regarding effectiveness of Ombudsperson, no respondents says it is very effective or effective but 17% respondents say it is average while 45% respondents are neutral. The 38% respondents say it is not effective. Responses in respect

of question time show that no respondents say it is very effective but twelve 14% say it is effective. The 20% respondents say it is average while 13% respondents are neutral but 56% respondents said it is not affective. Finally, on the effectiveness of interpellation, none of the respondents say it is very effective or effective but 14% respondents say it is average. The 31% respondents are neutral while 55% respondents however say it is not effective. On the whole, oversight visit is rated very effective while public hearing and investigation are rated effective. Furthermore, bill referral, petition and ad-hoc committees are rated average but question, ombudsperson, question time and interpellation are rated not effective.

Hence, table 4.4 and 4.5 confirm that committees have adequate number of staff, while committee members and staff have sufficient job knowledge and skills, moderate number of offices but lack inadequate funds, operational vehicles, offices and committee room.

#### **Objective Four**

The fourth objective of the study is to determine factors that affect effective legislative oversight of the legislature and to proffer ways to overcome such challenges by asking the following questions.

3. How will you rate the effectiveness of the under listed oversight tools in promoting accountability and transparency in governance of the National Assembly

**Table 4.6 Major Challenges of Legislative Oversight of Committees**

<b>Variable</b>	<b>SA</b>	<b>A</b>	<b>SD</b>	<b>D</b>	<b>U</b>
Poor funding of Commission	270	85	-	-	-
Inadequate committee rooms / office for committee clerk and staff	149	113	43	50	-
Inadequate vehicles for committee activities	117	117	64	57	-
Inefficient/functional internet and library service	71	124	189	71	-

Source: Fieldwork, 2019

Table 4.6 shows analysis of responses on major challenges of committees in carrying out their legislative oversight. All the 100% respondents agree that the major challenges of committees in the performance of their legislative oversight are poor funding while 74% respondents said inadequate committee rooms/offices for committee clerk staff. Furthermore, 66% respondents say inadequate vehicles pose major challenge to legislative oversight of committees and finally 55% respondents say lack of efficient and functional internet and library services. Therefore, based on the above results, we can say that poor funding is the major challenge of committees in the discharge of their legislative oversights followed by lack of sufficient committee rooms and offices for committee clerks and staff; lack of adequate vehicles for committees' activities, insufficient office equipment's and consumables and inefficient and functional internet and library services .From the above analysis, Legislatives oversight tools are very effective enhance agreeing with a prior study by Noah (2017) that Legislative oversight in Nigeria through the use of committee who employ various instruments such as, oversight visits, bill referral, interactive session, public petition ,investigative and public hearing and confirmation (use by the Senate),is one of the most effective tools for enhancing accountability, transparency and good governance.

4. What ways can the legislative oversight of the National Assembly be improved?

Table 4.7 legislative oversights can be improved

<b>Variable</b>	<b>SA</b>	<b>A</b>	<b>SD</b>	<b>D</b>	<b>U</b>
Provision of more funds for committee	270	85	-	-	-
Provision of committee rooms/offices for committee clerk and staff	149	113	43	50	-
Provision of more vehicles	128	134	43	50	-
More training of committee staff and member	124	107	71	53	-
Provide committees with more offices equipment's and consumable	117	103	75	60	-
Provide more efficient and functional internet and library services	39	157	96	64	-

Source: Fieldwork, 2019

Table 4.7 shows analysis of responses to major way on how to improve legislative oversight of the current National Assembly. All the 100% respondents agree that more funds should be made available to facilitate Committees Legislative oversight while 74% respondents agree that more committee rooms and offices for committee clerks and staff should be provided. Furthermore, 74% also agree that more vehicles should be provided for the committees to overcome the problems of logistics. On training, 65% respondents agree that more training should be provided for both committee staff and membership. The 62% respondents agree that committees should be provided with more office equipment's/consumables and finally 55% respondents agree that more efficient and functional internet and library services should be provided. Form the foregoing, provision of more funds for committees' activities is crucial to improve legislative oversight, followed by provision of adequate committee rooms/offices for committee clerks and staff, vehicles, office equipment's/consumables and the need to improve on internet and library services in the National Assembly.

Consequently, table 4.6 and 4.7 confirm that effective legislative oversight of the National Assembly is hampered by poor funding, lack of sufficient committee rooms and offices for committee clerks and staff; lack of adequate operational vehicles for committees' activities, insufficient office equipment's and consumables and inefficient and functional internet and library services. The study recommends provision of more funds for committees' activities provision of adequate committee rooms/offices for committee clerks and staff, operational vehicles, office equipment's/consumable and the need to improve on internet and library services in the National Assembly

Table 4.8 NGOs view on Legislative oversight

<b>Variable</b>	<b>SA</b>	<b>A</b>	<b>SD</b>	<b>D</b>	<b>U</b>
Legislative oversight Tools & its effectiveness	16	27	39	68	-
Committee, Resources and Capacity	26	28	67	29	-
Efficiency of Legislative oversight	39	38	54	19	-
Challenges of Legislatives oversight committee	64	46	21	19	-
Improvement of Legislative oversight	75	40	18	17	-

Table shows that 11% of the respondents strongly agreed that Legislative oversight tools were effectively utilized and 45% disagreed completely.

On Committee resources and capacity 17% of the respondent sufficient resources and strongly agreed that committees had sufficient resources and capacity to carry out their oversight. Committee did not have sufficient resources and capacity to perform their oversight functions and 19% disagree totally.

Also, our efficiency of Legislative oversight 26% of the responded strongly agreed that Legislative oversight visit were efficient while 25% agree with 36% strongly disagreeing that Legislative oversight visit were not efficient and 13% disagreed, and completely. Moreover, on challenge of legislative oversight Committees, 43% strongly agreed that legislative oversight of Committees had challenges ranging from funding's, office spaces for Clerks and staff mobility and poor internet Services while 31% agreed with 14% strongly disagreeing that Legislative oversight of Committees had no such challenges and 13% disagreed totally,

Finally, on improvements of Legislative oversight 50% strongly agreed that legislative oversight can be improved through adequate provision of funds, office accommodation for clerks and staff, staff mobility, training, more efficient equipment's and consumables as well as efficient and functional internet and library service while 29% agreed with 12% strongly disagreeing that legislative oversight cannot be improved through adequate provision of funds, office accommodation for Clerks and staff, staff mobility, training, more office equipment and consumables as well as efficient and functional internet and library Services while 11% disagreed completely.

### 4.3 Testing of Hypothesis

- (i) The National Assembly is not effective in the performance of its Legislative oversight

Nonsufficient capacity good governance?	Pearson Chi-Square	34.925a	9	.000** s
	Likelihood Ratio	32.442	9	.000
	Linear-by-Linear Association	2.008	1	.156

From the table above under consideration the result for the hypothesis test using chi-square is significant at 0.05 and at 99% confidence level therefore from the hypothesis, we reject the null hypothesis which state that “The National Assembly is not effective in the performance of its Legislative oversight” and accept the alternative hypothesis that state “The National Assembly have sufficient capacity to perform effective o Legislative oversight”

- (ii) There is no significant relationship between Legislative oversight and Good Governance in Nigeria.

Legislative oversight * good governance?	Pearson Chi-Square	19.073a	6	.004** s
	Likelihood Ratio	19.850	6	.003
	Linear-by-Linear Association	5.006	1	.025

From the table above under consideration the result for the hypothesis test using chi-square is significant at 0.05 and at 99% confidence level therefore from the hypothesis, we reject the null hypothesis which state that “There is no significant relationship between Legislative oversight and Good Governance in Nigeria” and accept the alternative hypothesis that state “There is significant relationship between Legislative oversight and Good Governance in Nigeria.

- (iii) There is no significant relationship between the National Assembly’s accountability and Good Governance in Nigeria.

Legislative oversight * good governance?	Pearson Chi-Square	20.064a	7	.004** s
	Likelihood Ratio	20.650	7	.004
	Linear-by-Linear Association	6.001	1	.035

From the table above under consideration the result for the hypothesis test using chi-square is significant at 0.05 and at 99% confidence level therefore from the hypothesis, we reject the null hypothesis which state that “There is no significant relationship between the National Assembly’s accountability and Good Governance in Nigeria” and accept the alternative hypothesis that state “There is significant relationship between the National Assembly ‘s accountability and Good Governance in Nigeria.

#### **4.4 Discussion of Findings**

From the result of the analysis, it was revealed that the National Assembly preformed its legislative oversights through varieties of oversight tools available to it. It also revealed that out of all the oversight tools, oversight visit is the most important tool used, followed by public hearing, bill referral, investigation and ad-hoc/special committees which all contributed to the effectiveness of legislative oversight of the National Assembly. Similarly, the result of analysis in respect of frequencies of legislative oversights performed by the legislature revealed that oversight visit has the highest frequency of five and above, followed by investigation, bill referral, interactive session, petition, public hearing and investigation whose frequencies are three to five. However, the frequencies of question and ad-hoc/special committee are one to two. On the other hand, ombudsperson, question time and interpellation have none.

A further analysis of the result also revealed that through effective legislative oversight the legislature is able to promote accountability, transparency, rule of law, reduce corruption and bring about efficiency. However, promotion of accountability stands out. In a related way, the result equally revealed that oversight tools are considered effective. Prominent among them is oversight visit followed by public hearing, bill referral and lastly investigation but it was also found out that remaining tools are slightly or never used at all. Result from the analysis of the

effectiveness of legislative oversight tools revealed that oversight visit is very effective while public hearing and investigation are effective.

However, bill referral, petition and ad-hoc/special committees are considered average but question, ombudsperson, question time and interpellation are rated not effective. In the same vein, result of assessment of committees' resources/capacity revealed that committees have sufficient number of committee staff and membership with good job knowledge and skills but it was found out that there is paucity of funds, lack of sufficient committee rooms/offices for committee clerks and staff, operational vehicles, office equipment's/consumable and inefficient and functional internet and library services. In addition, it was found out that major challenges faced by committees of National Assembly are inadequate funding of the committee activities, lack of sufficient committee rooms and offices for the committee clerks and staff, insufficient number of operational vehicles, insufficient office equipment/consumables and unavailability of efficient and functional internet and library services.

Finally, the results revealed that for improved legislative oversight by the current National Assembly, more funds, committee rooms/offices for committee clerks and staff, operational vehicles, capacity building office equipment's/consumables and functional internet and library services should be provided.

However, a cursory look at the responses of the Non-governmental organizations (NGO's) revealed the Committees do not have the sufficient resources and capacity to perform their oversight functions with further analysis showing that legislative oversight visit were not efficient as well as challenges ranging from funding, office spaces for clerks and staff, mobility and poor internet Services. Finally further findings reveals that Legislative oversight tools were not effectively utilize and hence Legislative oversight can be improved through adequate provision of funds, office accommodation for clerks and staff, staff mobility, training, more office equipment's and consumables as well as efficient and functional internet and library.

## CHAPTER FIVE

### SUMMARY, CONCLUSION AND RECOMMENDATIONS

This chapter presents summary findings of the investigation on legislative oversight and good governance with focus on the National Assembly, MDAs, Civil Society and Non-governmental organization. Conclusions and Recommendations are also elaborately dealt with in the chapter.

#### 5.1 Summary of Findings

The study set out to investigate legislative oversight and good governance in Nigeria. They study confirmed that the National Assembly performed its constitutional responsibility of legislative oversight through various oversight tools such as: oversight visit, public hearing, investigation, bill referral, etc.

Furthermore, the study also established that effective legislative oversight of the legislature promotes accountability, transparency, rule of law, reduction of corruption and efficiency. It confirmed that oversight visit was very effective followed by public hearing and investigation whereas hand bill, referral, petition and ad-hoc/ special committees were average but questions, ombudsperson, and interpellation are not effective.

In addition, inadequate funding of the committee activities, lack of sufficient committee rooms and offices for the committee clerks and staff, insufficient number of operational vehicles, insufficient office equipment/consumables and unavailability of efficient and functional internet and library services are the challenges faced by the National Assembly. The results revealed that for improved legislative oversight by the National Assembly, more funds, committee rooms/offices for committee clerks and staff, operational vehicles, capacity building, office equipment's/consumables and efficient and functional internet and library services are necessary for improved legislative oversight in the National Assembly.

## **5.2 Conclusion**

The oversight role of the National Assembly in governance is very crucial. Hence the legislature has been discharging its constitutional responsibility of legislative oversight through various legislative oversight tools which promotes accountability, transparency, rule of law and good governance etc. but the legislative oversight are hampered by inadequate resources at committees' disposal. Consequently, the committees should be provided with such needed resources that fundamental to the performance of legislative oversight.

Based on the findings, the study also concludes that;

- Committee do not have sufficient resources and capacity to perform then legislative oversight functions
- Legislative oversight visits were not efficient
- Legislative oversight were characterized with challenges such as funding, office spaces for clerk and staff, mobility and poor internet Service.
- Legislative oversight can be improved through adequate fundings, office accommodation for clerks, staff, staff mobility, training, more office equipments and consumable as well efficient and functional internet Services and Library.

## **5.3 Recommendations**

In line with findings of this study, the following recommendations are very pertinent to enhance legislative oversight and good governance in Nigeria:

### **(i) Adequate Funding of Committees**

Committees are the engine room of legislatures and no committee can function effectively without money. Consequently, the National Assembly should properly fund committees' activities. When committees are adequately funded, they can conveniently carry out their oversight functions without relying on the MDAs for hotel accommodation, air tickets and

other logistics towards legislative oversight visit. This will give room for a meaningful and objective oversight.

**(ii) Provision of More Committee Rooms/offices for Staff**

Committee rooms go a long way in providing avenues for committees to meet and deliberate on issues that concern committees and their activities. Offices to accommodate committee clerks and staff to be able to discharge their responsibilities as required are crucial. Consequently, provision of more committee rooms and offices for the clerks and staff are pertinent.

**(iii) Procurement of More Operational Vehicles**

Since it is evident from the findings that these essential resources are inadequate, more vehicles should be procured or on the alternative, every committee should have its operational vehicles, especially buses to ease up logistic when it comes to oversight visits.

**(iv) Capacity Building for Committee Staff and Members**

Since we live in a changing society, there is the need for committee staff and committee members to update and keep themselves abreast with best practices and new developments in project monitoring, evaluation, report writing.

**(v) Provision of More Office Equipment/Consumables**

Committees depend on reports and processed information. Consequently, absence of these will stall production of reports and information processing which will eventually affect the performance of the legislature.

**(vi) Provision of More Stable and Efficient Internet and Library Services**

In order to facilitate research and information gathering efforts by committees, there is the need for more stable, functional and efficient internet and library services. More specialized books or committee should have their libraries stocked with books that will facilitate their committee work.

#### **5.4 Contribution to Knowledge**

The studies have exposed the policy makers to the fact that legislative oversight and good governance in Nigeria is not just all about making laws but ensuring the productivity of these laws in carrying out oversight functions.

#### **5.5 Limitation of the Study**

(i) Dearth of data collection characterize by the research inability to access and administer questionnaires and retrieve them was a major set back

(ii) Financial constraints was also impediments as the researcher was handicapped in reaching so many respondents who would have made invaluable contributions to better the understanding of the subject matter

(iii) Time factor was another limitation that constrained the researcher as the study was time bound.

## REFERENCES

- Adebayo, A. W. (1981) *Principles and Practice of Administration in Nigeria* Ibadan, Spectrum Books Ltd.
- Afolabi, S. A. (2010) *Function of the National Assembly. A paper presented at a Workshop organized for the National Assembly staff at the National Assembly Complex, Abuja, on 28<sup>th</sup> August, 2010.*
- Amucheazi, D. O. (2013) *Core Function of Legislature: Legislation. A paper presented at a Workshop for National Assembly Staff on 1<sup>st</sup> November 2013 at the National Institute for Legislative Studies, Maitama, Abuja.*
- Asobie A. A. (1991) *The Search for Accountability. A paper presented at the International Conference on Democratic Transition and Structural Adjustment in Nigeria held at the NIJA, Lagos.*
- Barkan, J. (2010) *Legislature on the Rise? (Second Ed.)*, Baltimore: Johns Hopkins University Press.
- Bovens, M. (2006) *Analysing and Assessing Public Accountability: A Conceptual Framework*, European Governance Papers No. C06-01. Available at [www.connexnetwork.org/eurogov](http://www.connexnetwork.org/eurogov), pp. 6-12.
- Dogara, Y. (2016) *Legislative Oversight as a critical component of Good Governance. The Guardian, 2nd May, 2016.*
- Dogara, Y., “*Legislative Oversight as a Critical Component of Good Governance*”, *The Guardian, May 2 2016, being a Convocation Lecture delivered at the Fourth Convocation of Achievers University, Owo, Ondo State on April 9, 2016 available at <http://guardian.ng/features/legislative-oversight-as-a-critical-component-of-good-governance/> (Accessed on 14/5/2016)*
- Ewuim N.C, Nnamani, D.O & Eberinwa, O.M, “*Legislative Oversight and Good Governance in Nigeria National Assembly: An Analysis of Obasanjo and Jonathan’s Administration*”, *Review of Public Administration and Management* Vol. 3, No. 6, December 2014
- Habu, I. S. (2012) *Representation and Constituency Relation. A paper presented at the retreat of Enhancing Legislative Skills and Accountability Measures for Kaduna State House of Assembly on 3rd November, 2012 at Rockview Hotel, Abuja*
- Haider, S. I. (2008) *The Role of the West in Pakistan*, as quoted by Louise Dunne, 2008.
- Heywood, A. (2002) *Politics: An Introduction*, Basingstoke: Palgrave.

- Johnson, K. J. (2005) *The Role of Parliament in Government*, Washington D.C. World Bank Institute
- Johnston, M. (2016) *Good Governance: Rule of Law Transparency and Accountability*, Colgate University, New York. Retrieved November, 2016 from <https://pdftoolsonline.cm>.
- Legislative Assembly of Queensland (1997) *Parliamentary Criminal Justice Committee, Report on the Accountability of the CJC to the PCJC*, Report No 38.
- Lindberge, S. I. (2009) *Accountability: The Core Concept and its Subtypes*. African Power Politics Working Paper No. 1
- Loewenberg, G. (1995): "Legislatures and Parliaments in Encyclopedia of Democracy. U.S.A. Congressional Chatterly International.
- Madison, J. (1788) The Federalist Paper No. 10 "The Same Subject Continued: The Union as Safeguard Against Domestic Faction and Insurrection. New York Daily Advertiser, November 22.*
- Madue, S. M. (2012) Complexities of the Oversight Role of the Legislatures. Journal of Public Administration, 47(2), 431-442.*
- Merton, R. K. (1968). *Social Theory and Social Structure*. New York: Free Press.
- Mezy, M. L. (1983) *The Function of Legislatures in the Third World*, *Legislative Studies Quarterly*, Vol. 8. No.14, p. 512.
- NILS and NSNL (2014) Legislative Practice and Procedure of the National Assembly, National Institute for Legislative Studies and National Secretariat for Nigerian Legislatures.*
- Obaro, H. (2017) Legislature in Nigeria is the Reason for Failed Democracy. Available at www.naija.ng/4441874-legislature-in-nigeria-is-the-reason-of-failed-democracy. Accessed December, 2017.*
- Obasa, R. (2016) *Legislature and Good Governance*, Lecture delivered at a book launch in Ikorodu, Lagos.
- OECD (2001) Citizens as Partners-Information, Consultation and Public Participation in Policy Making. Available at www.oecd bookshops.org/oecd/display.asp. Accessed December, 2017.*
- Ogundiya I. S. (2010) Democracy and Good Governance: Nigeria Dilemma. African Journal of Political Science and International Relations Vo. 4. No. 6*

- Onochie, V. O. (2001) Accountability and Probity in a Democratic Nigeria: The role of the Accountant: A paper presented at the Institute of Chartered Accountants of Nigeria, Members Continuing Professional Education at Various Centres in Nigeria.*
- Oslon, M. (1993) Dictatorship, Democracy and Development. *American Political Science Review*, Vol. 87, No.3 September.
- Pelizzo, R. and Stapenhurst F. (2012) *Parliamentary Oversight tools*, London, Routledge.
- Pelizzo, R. and Stapenhurst F. (2013) *Government Accountability and Legislative Oversight*. New York, Routledge.
- Pelizzo, R. and Stapenhurst, F. (2014) Oversight Effectiveness and Political Will: Some Lessons from West Africa. Journal of Legislative Studies, 20(2), 255-261.*
- Pelizzo, R. (2013) Democracy, Accountability and Parliament. Nigeria Journal of Legislative Affairs (5(3) December pp.72-85.*
- Poisby, N. W. (1975) Legislatures: in *Handbook of Political Science: Government Institutions and Processes*, eds. Fred Greenstein and Nelson Polsby, Reading, MA Addison Wesley.
- Popoola, S. O. (2011) Research Methodologies in Library and Information Science. A paper presented at a Training Workshop on Building Research Capacity for Library and Information Science professionals. Organized by the Nigerian Library Association, Ogun State Chapter, Held at Covenant University, Ota 18th — 22nd September, 2011.*
- Radcliffe-Brown, A. R. (1952) *Structure and Function in Primitive Society*, London: Cohen & West Ltd.
- Saliu, H. & Muhammad, A. (2010) "Exploring the Parliament". Nigeria Journal of Legislative Affairs, Vol. 3 No. 1 & 2, 73 –89.*
- Shanum, S. (2018) Democracy and bad Leadership in Nigeria. Premium Times, March 2, 2018.*
- Sharma, M.P., Sadana, B. L., Kaur, H. (2012) *Public Administration in Theory and Practice* Kitab Mahal, Sarojini Naidu Marg, Allahabad.
- Spencer, H. (1898) *The Principles of Sociology*, New York: D. Appleton and Company.
- Transparency International (2017) Corruption Perception Index 2017. Available at www.transparency.org/news/feature/corruptionj,erceptionsindex\_20 17 Accessed December 2017.*

- Vanden Bergh, B. G. and Katz, H. E. (1999) Advertising Principles, Choices, Challenges and Change. NTC Business books and Practice, Hamalaya Publishing House, New Delhi.
- Verney, D. V. (Ed.) (1969) Structure of Government. London: Macmillan Press.
- Wikipedia (2011) Freedom of Information Legislation
- Wolinsky, F. D. (1988) The Sociology of Health, Principles, Practitioners and Issues. USA. Wadsworth Publishing Company.
- Woodrow, W. (1997) cited in Keefe, W. J. and M. S. Ogul (1997), The American Legislative Processes, New Jersey: Prentice-Hall.
- World Bank Group (2005) Parliamentary Committees in Democracies, Washington DC, World Bank Institute, Working Paper No. 33641.*
- www://en.wikipedia.org/wiki/freedom\_of\_Information (accessed 02/03/12).*
- Yaqub, N. (2004): 'The Military, Democratic Transitions and the 1999 Elections' in Olurode, L and Anifowoshe R. (eds.) Issues in Nigeria's 1999 General Elections. Lagos: John West Publications Ltd and Reboniks Publications Ltd.
- Noah Enenche Williams (2017) Legislative oversight in Nigeria: A comparative Analysis of the Fifth and Seventh Senate. Federal University Lokoja.
- Lafenwan,S.and Gberevbie, D (2007)" Legislative oversight and cost of Governance in Nigeria in Akpotor ,A,et al(eds).Cost of Governance in Nigeria .An Evaluative Analysis, Ekpoma: Ambrose Ali University Publishing House.
- Rick Stapenhurst,Kerry Jacobs Oladej Olaore :Legislatives oversight in Nigeria: An empirical review & assessment, January 2016; Journal of Legislative Studies 22(22).1-29*
- Ejikeme Jombo Nwagwu (2014) Legislative Oversight in Nigeria: a Watchdog or a Hunting Dog, Journal of Law, Policy and Globalization

**APPENDIX 1**  
**QUESTIONNAIRE**

National Institute of Legislative and Democratic Studies,  
Danube Street, Maitama, Abuja.

Date: 7<sup>th</sup> January, 2020

Dear Respondent,

I am a Master Student of the above mentioned institution carrying out research on “legislative oversight and good governance in Nigeria: a study of the 8<sup>th</sup> Senate of Nigeria National Assembly, Abuja”. I would appreciate your cooperation in answering the attached questionnaires to enable me obtain relevant and accurate information. I would be grateful if you could complete the questionnaire as soon as possible. Any information given shall be treated confidentially.

Thanking you for your cooperation in anticipations. Your cooperation is highly important, information you provide will be strictly confidential.

Yours faithfully,

ROSELINE RINYA KUMBUT

PG/NLS/184041

**APPENDIX II**  
**QUESTIONNAIRE**

**Section A: Personal Information**

Name of your Committee/Organization.....

Your present rank: .....

Duration you have been working with them .....

Your highest qualification: .....?.....

- a. Less than First Degree/Its Equivalent
- b. First Degree/Its Equivalent
- c. Master’s Degree/Its Equivalent
- d. Ph.D. and above

Gender[a]                      Male                      [b]      Female

Age Range                      [a] Less than 31    [b] 31-40    [c] 41-50                      [d] 51-60

**Section B**

Please tick or write as appropriate

1. How frequent does your organization monitor legislative oversight?

<b>Frequent of Oversight</b>	<b>None</b>	<b>1-2</b>	<b>3-5</b>	<b>Above 5</b>
Oversight visit				
Public hearing				
Investigation				
Bill referral				
Interactive session				
Committee (ad-hoc and special)				
Question				
Ombudsperson (Public Complaints Commission)				
Question time				
Interpretation				

2. What is the most important legislative oversight tools used in 2015- 2019nin last National Assembly?

<b>Legislative oversight tools</b>	<b>SA</b>	<b>A</b>	<b>SD</b>	<b>D</b>	<b>U</b>
Oversight visit is the most important tools used					
Public hearing is the most important tools used					
Investigation is the most important tools used					
Bill referral is the most important tool used					
Petition is the most important tool used					
Interactive session is the most important tool used					
Committee (ad-hoc and special) is the most important tool used					
Question is the most important tool used					
Ombudsperson (Public Complains Commission) is the most important tool used					
Question time is the most important tool used					
Interpellation is the most important tool used					

2. How will your organization assess National Assembly in terms of under listed resources/capacity?

<b>Resources</b>	<b>SA</b>	<b>A</b>	<b>SD</b>	<b>D</b>	<b>U</b>
Sufficient funds are provided for committee activities					
The committee has required number of staff					
The committee membership has sufficient job knowledge and skills requirement					
The clerk has an office					
The committee staff have enough office that accommodates them					
The committee has its permanent committee room					
The committee has sufficient office equipment's and consumable					
There are efficient and functional internet and library services					
The Committee always has vehicles available for its activities					

3. How will you access legislative oversight outcomes of the current National Assembly in the following areas?

Outcomes	SA	A	SD	D	U
Promote accountability					
Promote rule of law					
Promote transparency					
Reduce corruption					
Lead to efficiency					

4. How will you rate the effectiveness of the under listed oversight tools in promoting accountability and transparency in governance?

Oversight tool	SA	A	SD	D	U
Oversight visit					
Public hearing					
Investigation					
Bill referral					
Petition					
Interactive session					
Committee (ad-hoc and special)					
Question					
Ombudsperson (Public Complaints Commission)					
Question time					
Interpretation					

5. What are the major challenge to legislative oversight of the National Assembly

Variables	SA	A	SD	D	U
Poor funding of committees					
Inadequate committee rooms/ offices for committee clerks and staff					
Inadequate vehicles for committee activities					
Insufficient office equipment's and consumable					
Ineffective/functional internet and library services					

6. What are they legislative oversight of the National Assembly can be improved?

Variables	SA	A	SD	D	U
Provision of more funds for committees					
Provision of committee rooms/ offices for committee clerks and staff					
Provision of more vehicles					
More capacity building for committee staff and members					
Provision committees with more office equipment's and consumable					