

**ASSESSMENT OF THE EFFECTS OF LEADERSHIP RECRUITMENT
PROCESS ON INDEPENDENCE OF THE LEGISLATURE: A STUDY OF
THE 8TH NIGERIAN SENATE**

BY

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CERTIFICATION

This dissertation entitled “*Assessment of the Effects of Leadership Recruitment Process on Independence of the Legislature: A Study of the 8th Nigerian Senate*” presented by Fatima Saleh (**PG/NLS/1900050**) has met the partial requirements for the award of the degree of Masters in Legislative Studies (MLS) of the National Institute for Legislative and Democratic Studies/University of Benin, Edo State.

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

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APPROVAL PAGE

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I dedicate this work to the Almighty and my family.

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LIST OF ABBREVIATIONS

APC	All Progressives Congress
APPC	Association of Professional Political Consultants
CCB	Code of Conduct Bureau
CIPR	Chartered Institute of Public Relations
CCHR	Cambodian Centre for Human Rights
CFRN	Constitution of the Federal Republic of Nigeria
CISLAC	Civil Society Legislative Advocacy Centre
FCT	Federal Capital Territory
IFES	International Foundation for Electoral Systems
INEC	Independent National Electoral Commission
IPI	International Peace Institute
IPU	Inter-Parliamentary Union
KII	Key Informant Interview
LPO	Least-Preferred Co-worker
NCSL	National Conference of State Legislatures
NILDS	National Institute for Legislative and Democratic Studies
PDP	Peoples Democratic Party
PLAC	Policy and Legal Advocacy Centre
PRCA	Public Relations Consultants Association

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ABSTRACT

The Legislature, as the bastion of democracy, remains the distinguishing feature between autocratic and democratic administrations. Therefore, to add to the growing literature on legislative leadership, this study assessed the effects of institutional, electoral, and personal factors on the recruitment process of legislative leaders in the 8th Assembly of the Nigerian Senate. However, specific aims of the study include examining the process of recruiting legislative leadership viz-a-viz the Presiding Officers of the 8th Nigerian Senate; assessing the roles played by institutional, electoral, and personal factors in the election of the 8th Senate Leadership and evaluating the effects of the influences of these factors in the election of the 8th Senate Leadership on the independence of the Legislative House.

The study adopted the objective-by-objective approach which outlined specific methods for the objectives. Broadly, the study adopted the mixed research design thus relying on both qualitative and quantitative data. Data were sourced from both Primary and Secondary sources. Primary data were collected from Key Informant Interviews [KII] selected purposively while Secondary data came from journal articles, newspapers, official publications of the government (i.e., official proclamation letter,), the internet, among others. Content analysis method was used to analyse the data. Besides, data were presented in themes depicting the objectives of the study.

Based on Objective one, the findings showed that the process of recruiting legislative leaders in the 8th Assembly was constitutionally premised. In addition, Rule 3 of the Senate Standing Order stipulated the requirement for the recruitment of presiding officers in the Senate. The study affirmed the constitutional procedure in the recruitment of legislative leaders. Objective two revealed that indeed, individual ambition, conduct of election, and political parties influenced the recruitment of leaders in the 8th Senate. Specifically, the study found that individual ambitions drove the interest in legislative leadership. Also, the conduct of election had a direct correlation

to shaping the recruitment of leaders in the 8th Senate. An examination of the roll call showed that indeed, one-third (1/3) quorum was formed. Consequently, merits and demerits were established from the influences of the highlighted factors. The influence of political parties appeared unhealthy for a presidential democracy but it ironically galvanized common action in governance. Individual ambition could propel individuals to serve, but such a desire may not be driven by patriotism. The conduct of election ensured the preservation of minority status.

Finally, the study recommended adherence to the provisions of extant laws to addressing the issue of the recruitment process; consensus building, imbibing the democratic culture of lobbying, etc. to mitigate the influences of the identified factors. In the end, merits and demerits of the recruitment of leaders in the 8th Senate were the avowed assertion of its independence in the confirmation of executive nominees like Ibrahim Magu and the presidential veto of legislations like the Petroleum Industry Governance Bill (PIGB), respectively. Overall, the legislative leadership recruitment process preserves the style of leaders thereby assuring the independence of the legislature.

CHAPTER ONE

INTRODUCTION

1.1. Background to the Study

The legislature is an assembly of the representatives of the people elected under a legal framework to make laws for the good of society. According to Okoosi-Simbine (2010), the legislature represents the institution that makes laws for a nation by fashioning the collective will of the people into the instrument of law. The legislature controls through legislation all economic, social, and political activities of the nation.¹ It also scrutinizes the policies of the executive and provides the framework for the judiciary to operate. In light of the foregoing, it may be difficult to talk about democracy in any meaningful form without the legislature. This may have prompted the assertion by Van Gestel (2014) that all the activities of governance begin with lawmaking which in fact affirms the provision of Section 4 of the 1999 Constitution of the Federal Republic of Nigeria(as altered) that provides *inter alia* “the legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation, which shall consist of a Senate and a House of Representatives”. Indeed, the institution of the legislature occupies a primary place in governance.

The loftiness of the legislative institution notwithstanding, there is a generally held view that “everything rises and falls on leadership” (Maxwell, 2007). Essentially, it is the prerogative of an institution of such standing in a democracy to emphasize its leadership. Within context, Yukl (2006) defined leadership as a process that involves influencing others to agree on what needs to be done, and how to do it. Aligning with this view, Northouse (2010) described leadership as a process whereby an individual influences a group of individuals to achieve a common goal.

¹ See <https://www.emmaayikoye.org.ng/2018/11/07/the-legislature/>

These definitions suggest several components central to the phenomenon of Leadership such as: “(a) Leadership is a process; (b) Leadership involves influencing others; (c) Leadership happens within the context of a group; (d) Leadership involves goal attainment; and (e) these goals are shared by Leaders and their Followers” (Kotter, n. d., p. 1). Thus, Leadership does not imply a characteristic or trait with which only a few or certain people are endowed at birth, it refers to a transactional event that happens between leaders and their followers.

In view of this, Patterson (2015) noted that there has been a growing interest in the extent to which legislative leaders represent rank-and-file members of legislative bodies and in the characterization of the kinds of representative relationships uniformly observable in legislative situations. In this light, Little (2016) argued that legislative leadership in the modern era is a balancing act. To buttress his point, Little argued that today's legislative leaders must continue to give attention to traditional institutional responsibilities such as lawmaking, representation, and oversight of the executive on the one hand, while on the other hand, the leaders are also expected to go beyond the legislative institutions, representing the positions, interests, and images of the legislature and its members to other external groups and policy activists. However, at the core of effective legislative leadership is the recruitment process.

Shokoya, Nwogwugwu, and Nwaodike (2020) established that Leadership Recruitment is the combination of two words with varied origins and meanings. Nevertheless, Gale (2008) attempted to define the concept of leadership recruitment from the prism of political recruitment as the institutional processes by which political jobs beyond the citizenship level are filled. The stature of Gale's description of leadership recruitment is within the scope of this study because of its emphasis on the subject of recruitment for legislative leadership which, by itself, is a political institution. In this light, Shokoya et al (2020) provided an encompassing description of

leadership recruitment as the process of selecting and appointing political candidates for positions of political prominence. In context, extant laws (the Constitution and House Rules) provide for the election of leaders of the respective Houses from within its ranks. Specifically, Section 50 (a) (b) of the 1999 Constitution (as altered) stipulates that there shall be

(a) a President and a Deputy President of the Senate, who shall be elected by the members of that House from among themselves; and

(b) a Speaker and a Deputy Speaker of the House of Representatives who shall be elected by the members of that House from among themselves.

Juxtaposing the above constitutional provisions with events hallmarking the election of Legislative leaders in recent times (Punch, Nigeria, 2019, 10th June; Vanguard, Nigeria, 2015, 7th June), one would notice an incursion into a matter that should be an exclusive preserve of the legislature because Nigeria operates a constitutional democracy with governmental powers divided among different arms of government. Sections 4, 5, and 6 of the 1999 Constitution of the Federal Republic of Nigeria (as altered) are explicit on the division of such powers among the three arms of government. Baron de Montesquieu (1758) in his proposition for the separation of powers advanced for separate and independent legislative, executive, and judicial powers arguing that the separation is necessary to limit any one branch from assuming an overbearing effect on another. This forms the basis for the notion of an independent legislature although the independent arms would have to collaborate for good governance (Rockman, 1984).

1.2. Statement of Study Problem

Legislative leaders are individuals that direct the activities of the legislative chambers in any democratic system. Legislative leadership is divided into Presiding and Principal Officers. This distinction is based on whether or not leadership in the legislative assembly is by election or appointment. Therefore, while the President of the Senate and, or Speaker of the House of

Representatives and their Deputies are elected from among the members, the principal officers to which the presiding officers are a part, include the Majority Leader; Deputy Majority Leader; Minority Leader; the Whips; among others. Nigeria's presidential system imposes an imperative for separated governmental powers. Within the scope of the doctrine of separation of powers, Section 60 of the Constitution of the Federal Republic of Nigeria (as altered) permits each House of the National Assembly to regulate its procedure. Hence, the legality of the various positions expressed in the rules of the respective Houses.

Order 3(1) of the Standing Order of the Senate 2015 (as altered), for instance, posits that "a Senator-elect may, before taking the Oath prescribed in the Seventh Schedule to the Constitution of the Federal Republic of Nigeria, take part in the election of the President and Deputy President of the Senate." Sub-section 3(a) (b) further stated that "a Senator-elect, addressing the Clerk, shall propose another Senator-elect to the Senate to be President of the Senate and shall move that such Senator-elect "Do take the chair of the Senate as President of the Senate." Such Senator, when so nominated and seconded, shall inform the Senate whether he or she accepts the nomination, then proceeds to address the Senate. Subsection 3(c-1) is clear on the procedure for electing the President of the Senate. Also, Order 4 is emphatic on the procedure for electing the Deputy President of the Senate which is similar to those of electing the President of the Senate. The foregoing position of the Standing Order notwithstanding, the prerequisite for election/appointments into presiding or principal officers position is based on ranking. To this end, Order 3(2) is to the effect that:

(2) Nomination of Senators to serve as Presiding Officers and appointments of Principal Officers and other Officers of the Senate or on any Parliamentary delegations shall be in accordance with the ranking of Senators. In determining ranking, the following order shall apply —

- (i) Senators returning based on number of times re-elected;
- (ii) Senators who had been members of the House of Representatives; and

(iii) Senators elected as Senators for the first time.

The Constitution, as well as the Senate Standing Order, present the ideal legislative leadership recruitment procedure in the Nigerian Senate. These legal premises notwithstanding, Little's (2016) exposition on the subject of legislative leadership, is worthy of note. According to Little, the Institutional, Electoral, and Personal factors could influence the legislative leadership recruitment process. The factors listed by Little (2016) are considerable determinants of leadership recruitment in legislative houses. Explaining, Institutional factor is defined by the Party and Institution in which legislators serve which include party status, the partisanship of the executive, etc.; the Electoral factor is described by the electoral vulnerability of elected representatives given that leaders and their resources can affect a member's electoral success; the Personal factor is undersigned as the reflection of the unique positions of lawmakers. These factors, no doubt, have accounted for the election of legislative leaders over the years in Nigeria. Therefore, the leadership of the Senate of the Federal Republic of Nigeria and the Political Party in executive since independence are shown in Table 1.1.

Table 1.1: Presidents of the Senate and Chairman of the National Assembly

S/N	NAMES	TENURE	POLITICAL PARTY	POLITICAL PARTY IN EXECUTIVE
1	Nnamdi Azikiwe	1960	NCNC	NCNC
2	Dennis Osadebay	1960-63	NCNC	NPC
3	Nwafor Orizu	1963-66	NCNC	NCNC
4	Joseph Wayas	1979-83	NPN	NPN
5	Iyorchia Agu	1992-93	SDP	MILITARY

6	Ameh Ebute	1993	SDP	MILITARY
7	Evans Enwerem	1999	PDP	PDP
8	Chuba Okadigbo	1999-2000	PDP	PDP
9	Anyim Pius Anyim	2000-2003	PDP	PDP
10	Adolphus Wabara	2005	PDP	PDP
11	Ken Nnamani	2005-2007	PDP	PDP
12	David Mark	2007-2015	PDP	PDP
13	Bukola Saraki	2015-2019	APC	APC
14	Ahmed Lawan	2019 till date	APC	APC

Source: Fieldwork, October (2021)

From Table 1.1, the flow of leadership of the National Assembly was interrupted owing to various reasons. Within the Fourth Republic, Senator Chuba Okadigbo, for instance, was removed unceremoniously due to an alleged Executive-Legislative *impasse* (Pulse, Nigeria, 2018, April 19th). The same fate befell Senator Adolphus Wabara who was accused of financial impropriety, irregularities in the award of official contracts, and high-handedness in sharing funds (All Africa, 2004, April 26th). The instability in the leadership of the Senate continued until Senate David Mark's era who was considered largely as a stabilizing factor for the Senate (Vanguard, Nigeria, 2014, 8th October). Buttressing the points intended by this study, it can be seen that the leadership of the Senate could be adjudged unstable in its right because of the alleged preferences of political players outside the legislative institution. The question to ask is: did external influences in the recruitment process of legislative leaders affect the independence of the legislature?

Following the legal positions on the election of legislative leaders stated above, an independent legislature must perform its constitutional responsibility and must be allowed to determine its leadership from within. This forms the basis for concern to a practitioner in the field of politics who had participated in the recruitment of various legislative leadership before the study time, and now a scholar seeking clarifications on the subject of legislative leadership recruitment process on the independence of the legislature. Despite the stipulated independence of the National Assembly in extant laws, the inauguration of the 8th National Assembly drew so much attention to the preferences expressed by individuals outside the legislative house and consequently resulted in the emergence of various caucuses leading into the election of the presiding officers (Vanguard, Nigeria, 2015, 10th June). The ‘Unity Forum’ backed Lawan’s candidacy for the position of President of Senate but the ‘Like-Minds’ supported Saraki with varying degrees of external influences from the governing All Progressives Congress (APC) and main opposition Peoples Democratic Party (PDP).

The influences on the election of the leadership of the 8th National Assembly specifically the Senate in one way or the other resonated with Institutional, Electoral, and Personal factors enunciated by Little (2016). There is no constitutional arrangement regarding political parties, the executive, ethnic and religious caucuses, majority party, etc., as criteria when electing the leadership of the Senate as had been established, but these emerged as considerations in the recruitment process of the legislative leadership overtime (Premium Times, Nigeria, 2015, 10th June). It is therefore implied that political party leanings, future electoral success, and personal preferences of elected representatives played definitive roles in the election of the leadership of the 8th Senate.

This explains the alliance of the Senator Saraki-led “Like Minds Forum” with the opposition PDP against the APC-backed “Unity Forum” (All Africa, 2015, 20th June). As a result, the 8th Senate was thrown into endless crises arising from disagreements over the election and appointment into its various leadership positions (Daily Trust, Nigeria (2018, 22nd December). The 1999 Constitution of the Federal Republic of Nigeria(as altered) provides for an independent legislature as well as other arms of government (see sections 4, 5, & 6). Essentially, an ideal independent legislature must have a good executive-legislative relationship; must be able to defend its independence; and must work for the people they represent. In fact, the three (3) functions of lawmaking, representation, and oversight will be better performed under an Ideal Independent Legislature where the Leadership is recruited under the existing laws. However, in Nigeria, there have been allegations of interference with attendant consequences especially in the 8th Assembly. As a result, there is a gap between the Ideal Independent Legislature and the observed situation. This study, therefore, assessed the implication of the recruitment process and its consequences.

1.3. Key Research Questions

The study addressed the following questions:

- a) What was the process of recruiting legislative leadership viz-a-viz the presiding officers of the 8th Nigerian Senate?
- b) What were the roles played by institutional, electoral, and personal factors in the election of the 8th Senate Leadership?
- c) Can the influences of institutional, electoral, and personal factors in the election of the 8th Senate leadership affect the independence of the legislative house?

- d) How can the influence of institutional, electoral, and personal factors be mitigated in the election of legislative leaders in Nigeria, in the future?

1.4. Research Objectives

The main objective of this study was to examine the recruitment process of legislative leaders focusing on Nigeria's 8th Senate. The specific objectives include:

- (i) Examining the process of recruiting legislative leadership viz-a-viz the presiding officers of the 8th Nigerian Senate;
- (ii) Assessing the roles played by institutional, electoral, and personal factors in the election of the 8th Senate leadership; and
- (iii) Evaluating the effects of the influences of institutional, electoral, and personal factors in the election of the 8th Senate Leadership on the independence of the legislative house.
- (iv) To suggest strategies that will mitigate the effect of the influences of institutional, electoral and personal factors in the election of legislative leadership in the future.

1.5. Justification of the Study

The few earlier studies dedicated to legislative leadership which were not focused on the National Assembly did not strictly pay attention to the recruitment process. In other words, there had been a gap in knowledge. Therefore, the findings of this study could fill the gap in the literature in this area. In addition, legislative researchers and students could find useful reference materials in this area of knowledge. Also, the findings from this study could be beneficial to legislative institutions such as the National Assembly, Inter-Parliamentary Union (IPU), Economic Community of West African States (ECOWAS) Parliament, National Institute for Legislative and Democratic Studies (NILDS), etc. in facilitating policies for driving and

improving the legislative leadership recruitment process. In the same way, this study could be beneficial to Policymakers, the Electoral Management Body (INEC), Citizens/Electorates, etc.

1.6. Scope of the Study

This study focused on the Senate of Nigeria's National Assembly because of the particular circumstances within which its leadership was elected (Sahara Reporters, 2015, 9th June). However, it should be noted that the recruitment process of both chambers of the National Assembly is identical. The scope was limited to the period between 2015-2019 because the issues raised by the emergence of the leaders at that time resulted in the arraignments of the President of the Senate for alleged false asset declaration by the Code of Conduct Bureau (CCB) on one hand (Daily Trust, 2018, 6th February), and the Senate President and the Deputy Senate President for the forgery of the Senate Standing Order on the other hand (Vanguard Nigeria, 2016, 30th June). However, its analytical delimitation would be the political interplay resulting in the emergence of Senator (Dr) Bukola Saraki as the President of the 8th Nigerian Senate.

1.7. Definition of Key Terms

Standing Order: Standing orders are the rules governing the procedure and practices of the legislative assembly. Following the provisions of the Constitution (See Section 60) that allows the Houses to regulate their procedures, the Senate Standing Order 2015 (as altered) primarily provided the guidelines for election of presiding officers as stated in Order 3 of the 2015 Senate Standing Order.

8th Nigerian Senate: The 8th Senate of the National Assembly was inaugurated on June 9th, 2015, and completed its course on June 9th, 2019. It was an assembly of elected representatives of Nigeria's bicameral legislature's upper chamber vested with lawmaking powers of the

Federal Republic of Nigeria according to the stipulations of Section 4 of the Constitution of the Federal Republic of Nigeria [CFRN] 1999 (as altered).

Presiding Officers: Refers exclusively to the holders of formal positions of directing authority in legislative bodies such as the National Assembly elected by its members. Presiding Officers supervise and regulate the plenary (floor) debate sessions; regulate the proceedings by ensuring that the rules of procedure regarding the nature and character of the debate are followed; and protect the rights and privileges of its members.

1.8. Limitations of the Study

Certain limitations could arise from the choice of research methods. The data requirement was predominantly qualitative, however, the need to provide an answer to the “how many” question posed by the study resulted in the adoption of the mixed method which encompassed the usage of quantitative data. Also, the choice of the purposive sampling technique could result in sampling bias. Nevertheless, because the subjects being investigated were peculiar ones with a dearth of hindsight knowledge or literature, the study adopted the Key Informant Interview [KII] as the research instrument to mitigating the effect of such sampling bias. Given the choice of research design, the researcher advocated for a quantitative method of data analysis as well, but the content analysis that could mostly be relied on emphasized the examination of documents related to the subject being studied and therefore suffices as the major data analysis method for the study.

1.9. Organization of the Study

Chapter one contains the general introduction which consists of the background; statement of the problem; research questions and objectives; the significance of the study; scope and limitation of the study; and the outline of the chapters. Chapter two provides a thorough review of the

literature and theoretical framework. Chapter three focuses on a comprehensive statement of the research methodology. The data and discussion of the results form the content of chapter four. Chapter five is a summary of the study, recommendations, contributions of the research to the body of literature, and conclusions based on the findings of the study.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter adopts thematic approach in reviewing and discussing extant and relevant literature. The study was later situated within the frameworks of the Principles of Separation of Powers and the Recruitment Theory as espoused by Baron de Montesquieu and Douglas McGregor (1957) respectively.

2.1. The Concept of Leadership Recruitment Process

Shokoya, Nwogwugwu, and Nwaodike (2020) opined that leadership recruitment is a combination of two words, often viewed depending on the ideological and cultural contexts of the definer. Situating these concepts differently and combining the meanings they offer within their respective rights created the picture of leadership recruitment. Ogbeidi (2012) attempted to describe the concept of leadership as the body of people who lead and direct the activities of a group towards a shared goal. Inherent in Ogbeidi's description is the notion of the ability to lead, direct and organize the group. Also, Burns (1997) defined leadership as the act of leaders acting – as well as caring, inspiring, and persuading others to act for shared goals that represent the values of themselves and the people they represent. Drawing from Burns' definition, a leader must care, inspire, persuade, must act at an appropriate time, and represent not only his interest but the general or national interest. Underpinning Ogbeidi and Burns' descriptions of leadership was the consensus that leaders act within stipulated bounds which are often about group's interests.

Adding to the argument, Abolurin (as cited in Shokya et al, 2020) suggested that a leader must pave way for people to achieve incredible success. He said that the leader-follower relationship should be based on democratic ethos where premium is placed on consultations before decisions

are made. Stemming from this, Nwachukwu (2007) listed three leadership characteristics to include leadership as an attribute of position; characteristic of a person; and category of behaviour. Situating the desired attributes of a leader within the context of Nwachukwu's exposition, Asaju, Arome, and Mukaila (2014) noted that a leader must be identified with certain fundamental qualities such as honesty, integrity, vision, communication, and self-confidence. However, recruitment takes place at all levels of offices.

To Cole and Kelly (2011), the organizational perspective meant that the recruitment process provided the organization with a pool of potentially qualified candidates that could fill the available job vacancies. Giving an insight into recruitment as it applies in politics, Shokoya, Nwogwugwu, and Nwaodike (2020) posited that elections at both the party and national levels were the most recognized and legitimate mode of leadership recruitment. To Shokoya et al, this was known as political recruitment. Drawing from this, Gale (2008) further described political leadership recruitment as the institutional process by which political jobs beyond the citizenship level were filled. Gale proffered that a determinant of political recruitment was the concept of political socialization which determined the chances of being recruited or of desiring to enter into specific roles in political life. Lending a voice to the debate of political recruitment, Villarreal (as cited in Shokoya, Nwogwugwu, & Nwaodike, 2020) revealed that it included the selection process aimed at filling vacancies in any political structure, which allowed upward mobility in the political careers or a change of role from a non-political to a politician. From the foregoing, leadership recruitment is the process of electing, selecting or appointing political candidates into the political leadership positions, whether at the local, state, or national levels.

Competitive democratic elections offer citizens a choice of alternative parties, government, and policies. These citizens' choices in selecting political leaders determine the future of the country.

The concept of the recruitment process, therefore, refers to the critical steps in which candidates get on the ballot, get elected by the citizens, and become public office holders. It is a process that filters some candidates over others on a systematic basis. Indeed, this description further explains the meaning of the political recruitment process as stated by Gale (2008). From the varied meanings of the distinct concepts of leadership and recruitment, in the conception of this study, it must be stated that the notion of political leadership recruitment process suffices for the legislative leadership recruitment process. The larger context of Nigeria's constitutional democracy which demands that candidates standing for election be duly sponsored by political parties, has, *ab initio* subjected would-be legislative leaders to the political recruitment process before any stipulated election of such officers within the legislative chamber itself. On this note, Udeuhele (2015) posited that candidates are first selected by different political parties to compete in any election. Stephen (2008), however, described the political recruitment process as a matter of "life and death" due to how much leaders who emerged through non-ideal recruitment processes were cajoled by their benefactors. In fact, Odisu (2017) asserted that products of such recruitment processes hardly bother by the yearnings of the citizens. Hence, Odisu noted that this situation underscored the notion of the poor leadership recruitment process as opposed to the ideal leadership recruitment process which emphasized following laid down steps in the emergence of a leader and in this context, legislative leadership.

Therefore, drawing from the study by Clark and Hansen (2018), the leadership of the legislature such as Speaker of the House and President of the Senate, occupy important gatekeeping positions in the hierarchy of government because their approval is usually needed to bring proposed legislation to a vote and ultimately change public policy. Although Clark and Hansen offered two complementary expectations of the effect of diversity in leadership on public policy

in which they argued first, that more descriptive representative leadership might yield policy gains to the groups who are descriptively represented and second, more descriptive representative leadership in legislatures might allow for more broadly representative public policy, such that policies more closely reflect public opinion, it is pertinent to assert that the views expressed by Odisu (2017) as well as Stephen (2008) came to fruition since poor leadership recruitment processes are responsible for the election of bad leaders who, for the sake of the terms of their emergence, would not be readily disposed to identifying viable pathways to making public policy more representative of citizen preferences.

2.2. Leadership Recruitment Process and Independence of Nigeria's National Assembly

Sections 4, 5, and 6 of the 1999 Constitution(as altered) spell out governmental powers for the Legislature, Executive, and Judiciary, respectively. Within this context, each arm of government has defined roles carried out in an independent but coordinated manner. While the legislature is vested with the lawmaking powers, the executive assents as well as implements the laws made using its agencies while the judiciary reserves the unfettered powers to interpret the laws to ensuring conformity with extant provisions. Indeed, an independent legislature must perform its constitutional responsibility and must be allowed to determine its leadership from within. There is no particular way of recruiting leadership of the legislature other than the democratic tenets. Section 50 (1) (a) (b) of the 1999 Constitution(as altered) provides that there shall be: “a President and Deputy President of the Senate who shall be elected by the members of the House from among themselves”; and “a Speaker and a Deputy Speaker of the House of Representatives, who shall be elected by the members of that House from among themselves.” In essence, since Nigeria is a constitutional democracy, it could, at least, be agreed that the constitution as well as other enabling laws enacted according to it provide the ideal recruitment process for leadership

of the legislature. In this light, specific provisions of the Senate Standing Order just as those stated in Chapter 2, Order 2 are worthy of reckoning.

Nigeria is a multiparty state with elections conducted every four years into the Presidential; National Assembly; Governorship; and House of Assembly's public offices. Political leadership recruitment in Nigeria, as in other democratic societies, is achieved through elections. Political leaders are recruited through primaries and general elections. Broadly speaking, election refers to the process of elite selection by the mass of the population in any given political system. Elections afford the freedom to choose candidates to manage their affairs and allow candidates to canvass for votes from the electorate in a free and fair contest (Egwemi, 2013). An election in a democracy is very important because it is the medium for demonstrating the people's legitimacy and leadership succession. According to Gauja (2010), modern democracies rely on elections. To this, Obiefuna-Oguejiofor (2018) alluded that the outcomes of elections could impact voters' freedoms, taxes, and other aspects of daily life that they took for granted. Thus, the International Peace Institute [IPI] (2011) concluded that elections have facilitated the emergence of democratic governments in various jurisdictions.

Indeed, political party recruitment process is regarded as one of the most crucial tasks performed by Political Parties. It is often used to distinguish them from other social movements (Andeweg, 2000). Procedurally, the recruitment process begins with political party nominations known as Primary Elections. Primary Elections are conducted by political parties to select candidates for various elective posts. In this way, political parties enforce the recruitment of political leaders through competition with other nominated candidates. Election of candidates for the various elective positions by political parties is carried out using the party's internal rules and procedures. Political Parties pick candidates for the general elections through primaries or

consensus. These nominations are then forwarded to the Independent National Electoral Commission (INEC) which screens the candidates and approves their candidacy. Section 87 of the 2010 Electoral Act (as amended) is dedicated to candidate nomination by political parties.

As has been stated severally, Nigeria's democracy does not permit independent candidacy. Specifically, Sections 221-229, Part III (Supplemental Provisions) of the 1999 Constitution of the Federal Republic of Nigeria (as altered) reiterates the place of political parties in Nigeria's political system. Clearly, the legislative leadership recruitment process begins at this level given the enormous role ascribed to political parties in the sponsorship of candidates in an election. However, no further functions were provided for political parties after their candidates emerge in an Election. To this end, the independence of the legislature in recruiting its leaders is not in doubt. Furthermore, the principle of separation of powers delineates governmental powers between the branches of government even though there have been records of inter-institutional rivalry between the arms. This, notwithstanding, constitutional imperatives connotes an independent legislature for the effectiveness of the political system.

2.3. Functioning of an Independent Legislature

Hamalai, Dan-Azumi, and Omotola (2016) averred that in a democracy, the legislature is a critical institution of governance. Therefore, its roles are broadly defined as legislation, representation and oversight. Abegunde (2016, p. 230) emphasized these functions of the legislature when he stated that the "three main functions of a legislature in ensuring democratic stability are: law-making, oversight function and representation". Accordingly, these roles are prescribed expressly in the 1999 Constitution of the Federal Republic of Nigeria (as altered). This notwithstanding, the performance of these mandates could, given certain imperatives, be moulded towards how a government is organized. Thus, following Robinson and Mico's (1994)

typology of the legislature being a Rubber Stamp, Nascent, Informed and Independent Legislatures, one or more of these functions of the legislature could be impaired. Explicitly, the performance of the Rubber Stamp legislature could not be compared to that of an Independent legislature since the former exists primarily as a forum for endorsing executive decisions as opposed to the latter.

The functions of the legislature are outlined as follows:

1)Legislation: Section 4 of the 1999 Constitution of the Federal Republic of Nigeria (as altered) vests the legislative powers of the Federation to make laws for the “order, peace and good government of the Federation” on the National Assembly. As a result, Abegunde (2016) noted that the primary function of the legislative arm of government is lawmaking. Lawmaking is an interesting process that involves the passing of motions into resolutions and bills into laws with the main aim of contributing to national development and defending the sovereignty of the country. Davies (as cited in Abegunde, 2016) alluded that the legislature’s involvement in the lawmaking process varies from weak (in parliamentary democracy) to strong (in a presidential democracy)but the executive in both systems submits its proposal to the assembly for deliberation.

Elucidating on the notion of parliamentary and presidential systems and the lawmaking process, Ladan (2019) submitted that while the doctrine of collective responsibility drives activities in the parliamentary system of government, thereby, weakening the legislative process since cabinet members are foremost, Members of Parliament (MPs), the clear delineation between the executive and the legislature as espoused by Baron de Montesquieu in Presidential systems connotes a vivid legislative process.

2)Oversight: According to Asimiyu (2018), oversight represents the follow-on activities of lawmaking. The legislature’s oversight function is to ensure that all public officers act according to legislative intents. This, however, entails scrutinizing and monitoring the duties of public servants in Ministries, Departments and Agencies (MDAs). These responsibilities include conducting investigations into the activities of public officials, to ensure that they follow the rules of engagement. In fact, Section 88 of the 1999 Constitution (as altered) provides that the National Assembly has the power to conduct or cause an investigation to be conducted into matters on which it can legislate. Besides, Section 89 permits it to gather pieces of evidence in the course of such investigations. As part of its oversight function, the National Assembly also screens nominees of the executive to various Ministries, Departments and Agencies (MDAs), Security Chiefs among other positions (See Section 147 of the Constitution[as altered]). This is to ensure that appointments reflect the principle of federal character as enshrined in the constitution and that competent individuals who have the capacity to carry out the responsibilities of the offices are appointed.

3) Representation: The National Assembly’s other important function is representation. Indeed, the notion of representation underscores the precept of sovereignty, the legislative institution bears. Rightly, Sections 48 and 49 of the Constitution provide for the representation of the citizens by members of the National Assembly. These Constitutional specifications provide for the representation in a 109 member Senate as well as a 360 member House of Representatives. The House of Representatives is divided into constituencies with one member representing each constituency. These constituencies are classified according to their population because population has a significant impact on the delimitation of constituencies. Both Lagos and Kano States with have large population, have a total of twenty-four(24) members in the House of

Representatives, whereas Enugu has only eight members (8). In contrast to the method of constituency representation used in the House of Representatives, each of the country's thirty-six states is divided into three zones, with no regard for the population. Each state is represented by three senators, implying that one senator represents each zone and one senator represents the Federal Capital Territory. Following the representative mandate of both Senate and House of Representatives are constitutionally required to present and defend the interests and concerns of their constituents during policy-making in their respective chambers.

Essentially, the traditional functions of the legislature are determined by the extent of the powers exercisable by the legislature which truly, is a function of its independence. An independent legislature emerges from the recruitment of its leaders which is set on the environments listed for its emergence by Little (2016). As a result, how much these factors influence the recruitment of legislative leaders ascertains the level of assertiveness of the legislative house in the conduct of its business as portrayed by the listed functions. Generally, for these functions to be effective, a level of Independence is a requirement.

2.4. Gap in Knowledge

Several kinds of literature mirroring the intendments of this study were reviewed thematically. Different literature on the concept of leadership recruitment process especially those by Shokoya, Nwogwugwu, and Nwaodike (2020), Ogbeidi (2012), Gale (2008), among others for instance, were used to examine as well as buttress the notion of leadership recruitment process with the study by Clark and Hansen (2018) providing the needed insight for leadership recruitment process in the legislature. In a similar vein, literature on leadership recruitment process on the independence of Nigeria's National Assembly, as well as the legislature and its leadership in Nigeria by Adegunde (2016), Tom and Attai (2014), the 1999 Constitution of the

Federal Republic of Nigeria (as altered), and the Standing Rules of the respective Houses, were discussed. Some aspects of legislative leadership were laid in the reviews, little mention was made of the independence of the legislature even though the constitution provides the grundnorm for the functioning of Nigeria's constitutional democracy. This, therefore, constitutes a gap in legislative literature, and forms the basis for this research with the sole aim of juxtaposing the ideal legislative leadership recruitment process with the independence of the legislature in Nigeria.

2.5. Theoretical Framework

This study adopted the Principle of Separation of Powers and the Recruitment Theory as the framework for its conceptualization. In every instance, the selected theories sufficed for any of the variables being studied. The Principle of Separation of Powers underpinned the Independence of the Legislature, on one hand but the Recruitment Theory which explains the process of identifying the right leader attempted to give meaning to the concept of Leadership Recruitment Process, on the other hand.

2.5.1. Principle of Separation of Powers

According to the National Conference of State Legislatures [NCSL] (2019), the term “separation of powers” was coined by Baron de Montesquieu, an 18th Century French social and political philosopher. His publication, *Spirit of the Laws* (Baron de Montesquieu, 1758), laid the groundwork for the enunciation of the Principle of Separation of Powers and is considered one of the great works in the history of political theory and jurisprudence. Also, John Locke in his popular *Second Treaties of Government* in 1689 distinguished between three powers existing in every commonwealth, namely Legislative, Executive, and Judicial. To Locke, commonwealth

could be a democracy, oligarchy, or monarchy. Through his writings, Locke admonished that “executive and legislative are best kept in separate hands, except that the head of the executive can be a part of legislative, with the power of summons prorogation” (Locke, 1994: 108). This prompted Okoli (2003) to distinguish between systems of government by asserting that when the executive is inferior to the legislature, the system is known as convention government; when the executive is in an equal, but reciprocal relationship, the system is parliamentary; when, finally, the executive is separated from the legislature and they proceed directly from an electoral contest, the system is presidential.

Other philosophers that have theorized on the Doctrine of Separation of Powers include Marcus Tullius Cicero (106-43 BC) and Marsilio of Padua (1275-1342). Essentially, these theorists on Separation of Powers reasoned that no arm of government should be subservient to the other and that for the legislature to discharge its surveillance functions, as a check on the executive and the judiciary, a very high degree of autonomy is required. In fact, the National Conference of State Legislatures [NCSL] (2019) alluded that the Principle of the Separation of Powers inspired the Declaration of the Rights of Man and the Constitution of the United States of America envisaging that the political authority of the state is divided into Legislative, Executive, and Judicial powers. Elucidating the delineation of governmental functions, Baron de Montesquieu (1758) asserted that, to most effectively promote liberty, these three powers must be separate and act independently.

The Principle of Separation of Powers refers to the division of government responsibilities into distinct branches to limit any one branch from assuming an overbearing effect on the other. The intent is to prevent concentration of power in one arm of government thus, providing for checks and balances. Succinctly put, the Cambodian Centre for Human Rights [CCHR] (2011) described

the separation of powers as the division of a democratic state into three institutions or branches of government: the Legislature, the Executive, and the Judiciary. On this premise, the distribution of state powers or functions in the 1999 Constitution of the Federal Republic of Nigeria (as altered) is worthy of mention. Specifically, sections 4, 5, and 6 delineate state powers among the Legislature (National Assembly), Executive, and Judiciary. The characterizations of the powers of the branches of the Nigerian government are:

- 1) The Legislative branch is responsible for enacting the laws of the state and appropriating the money necessary to operate the government (powers of the purse expressed in Section 80 of the 1999 constitution, [as altered]).
- 2) The Executive branch is responsible for implementing and administering public policy enacted by the Legislative branch.
- 3) The Judicial branch is responsible for interpreting the constitution and laws.

2.5.2 Recruitment Theory

The Recruitment theory is associated with the early works of Douglas McGregor (1957). Recruiting and selecting effective leaders can often be a difficult challenge, especially in today's strained economic environment (McEntire & Greene-Shortridge, 2011). In fact, leaders are not scarce but the process of identifying the right leader is often rigorous and fraught with considerations necessary for the upliftment of the organization. As a result, Sarros, Cooper, and Santora (2008) posited that the recruitment of leaders should be predicated on organizational success. Therefore, to guarantee good recruitment, emphasis must be laid on the leadership position requirements, as organizations want someone to guide the firm in the dimensions it needs guidance.

Within context, the notion of Recruiting Legislative Leaders follows a similar pattern of recruitment as postulated by Douglas McGregor. This is because, within the general context of the Senate Leadership, the election (that recruitment) of Presiding Officers who are the focus of this study is a cumbersome process that involves the identification of requisite qualities that would uplift the legislative house more so as the Independence of the legislature is pertinent. Indeed, laying out the merits of the Recruitment Theory postulated by Douglas McGregor shows a difference only in the context of application since his espouse is originally denoted for the economic environment. Roundly, a point of convergence lies in the ability of the theory to capture the notion of Recruitment even though Legislative Leadership Recruitment is situated within the broader text of Political Recruitment.

Nevertheless, Winston (2014) pointed out that the recruitment theory is concerned with the relative importance of various factors in individuals' career decisions, as those factors relate to the ability to recruit those individuals who are likely to succeed as leaders in various professions. According to Avolio, Gardner, Walumbwa, Luthans, and May (2004), Recently, leadership research has been guided by a model demonstrating how the leader's authentic and innovative behavior results in followers being more likely to personally identify with the leader and the organization, allowing followers to experience confidence, optimism, and resiliency, as well as a sense of shared values with their leader.

Mohammed (2020) argued that the recruitment process aims to provide the best elements with excellent qualifications. He explained that the importance of the recruitment process to any organization is to prevent hiring the wrong person, who may cost the organization very much. Indeed, away from the salaries and incentives offered, the process of employing an inappropriate and effective component may cost larger losses based on the decisions and

activities wrongly practiced. Therefore, this process is one of the most important processes for managing human resources and for the company as a whole. Relatively, the recruitment of legislative leaders is of paramount importance. Following the position of Biswas (2012), the recruitment of legislative leaders in this instance connotes identifying potential legislative leaders to administer the legislative house. According to Stonner, Freeman, and Gilbert (2000), the overall goal of recruitment is to avail the organization (that is the National Assembly) with competent leadership. Nzuve's (1997) espouse that recruitment is the discovery and development of needed personnel for employment in the organization means that the recruitment of legislative leaders involves the search for elected representatives adequately nuanced in the legislative practice and procedure.

Given the trajectory of this study, it is pertinent to state the types of recruitment as listed by Mohammed (2020). According to Mohammed, recruitment could be internal or external. Explaining, Mohammed (2020) posited that internal recruitment involves the identification of leaders within the hierarchy of the organization whereas external recruitment involves the identification of competent personnel outside the organization. Therefore, following the inclination of the study which harps on the independence of the legislature, there is the need to dwell on the merits of internal recruitment which truly, explains the concept of the study. Providing insight, it must be stated that the members of the Senate are foremost elected into the upper chamber before they can aspire for any leadership role. Based on this, the choice of the recruitment theory becomes justified given the emphasis of the internal recruitment process on the identification of leaders within the rank-and-file.

2.6 Application Of The Theories

Based on the Principle of Separation of Powers, Chapter I Part II of the 1999 Constitution of the Federal Republic of Nigeria (as altered) spelt out the *Powers of the Federal Republic of Nigeria* details the respective functions ascribed to the arms of government. Reading through this part explicates specific governmental powers ascribed to the respective arms of government (Section 4, 5, and 6). In fact, Section 4 (1) endows the Legislative Powers of the Federal Republic of Nigeria on the National Assembly. Similarly, Section 5 (1) (a & b) of the 1999 Constitution of the Federal Republic of Nigeria (as altered) underpins the role of the Executive arm within the framework of Nigeria's Constitutional arrangement. Going further, Chapter VI Part I of the 1999 Constitution of the Federal Republic of Nigeria (as altered) describes the duties of the executive branch which is emphatic on its implementing role. Finally, section 6 (1) of the 1999 Constitution of the Federal Republic of Nigeria (as altered) vests the Judicial powers of the Federation on the courts. Indeed, the delineation of governmental powers by Baron de Montesquieu (1758) is at the core of Nigeria's constitutional democracy and most particularly, modern democratic arrangements. Also, the Recruitment theory in setting the basis for conceptualizing the Recruitment of Legislative Leaders in its purest form, emphasizes the identification of Leadership qualities or attributes relevant to Organizational goals. Explicitly, in applying the Recruitment Theory, it is noted that the National Assembly is an arm of government which truly is needed for the optimal functioning of the political system by exercising its Legislative Powers of the Federation.

Furthermore, to appreciate the essence of the Principles of Separation of Powers within the context of the present study, a rehearse of the key points intended in the study becomes necessary. Emphasizing, this study aims to analyze the Leadership Recruitment Process in the

National Assembly within the purview of the constitutionally guaranteed Institutional Independence of the Legislature. With this in mind, the Principle of Separation of Powers was chosen because of its distinction between the respective arms of government. In essence, the Separation of Powers is suited for the study of this nature since it sought to evaluate the effect of the leadership recruitment process in the National Assembly on its independence. Elaborating, Chapter I Part II of the 1999 constitution of the Federal Republic of Nigeria (as altered) underpins the independence of the Executive, Legislature, and Judiciary with its demarcation of the roles of government between the branches. Therefore, this study in applying the Principle of Separation of Powers and the Recruitment Theory examined the effect of the Leadership Recruitment Process on the Independence of the legislature Particularly the Senate following the highlighted environments necessary for the recruitment of the legislative leadership with a focus on the organizational content emanating from the Independent Legislature within the context of acceptable leadership standards.

CHAPTER THREE

METHODOLOGY

This chapter presents the methodology adopted for the study. The methodology is grouped under the following subheads: Study Area; Research Design; Population of the Study; Research Instruments; Sources of Data; Sampling Procedure and Size; and the specific research methods adopted for actualizing the research objectives termed the Objective-by-Objective Approach. The researcher has been a participant / observer over the years.

3.1. Study area

The study location is the National Assembly, Federal Capital Territory (FCT), Abuja. The National Assembly is a Bicameral Legislature established under Section 4 of the Constitution of the Federal Republic of Nigeria, CFRN (1999, as altered). It is made up of 469 members (a Senate with 109 members and a 360-member House of Representatives). The choice of this location is premised on the peculiar circumstances surrounding the emergence of the leadership of the 8th National Assembly (Vanguard, Nigeria, 2015, 10th June; Daily Post, Nigeria, 2017, 28th December) and the fact that the FCT Abuja houses the National Assembly which is the subject of examination.

3.2. Research design

The study adopted the Mixed Research Design. The choice of this Research Design was deliberate because the study relied on Qualitative and Quantitative methods of data collection. Therefore, the representation of data was both in numerical and textual forms. Qualitative data helps to gain insight; explore the depth, richness, and complexity inherent in a phenomenon (Denzin & Lincoln, 2005), while quantitative data addresses the “what” and “how” aspects of

the research problem. The complementary usage of both data types formed the basis for the adoption of the mixed research method.

3.3. Population of the study

According to Kothari (2004), it could be the aggregate of individuals of the same or similar elements which are observable and are of interest to research or group of researchers. Indeed, a population is a group of individuals that have common features and are of concern to a researcher. For this study, the target population are law makers (serving and former Senators) who have been key players in the election of the leadership of the 8th Senate, political party administrators (especially party leaders of the All Progressives Congress [APC] and Peoples Democratic [PDP]), top bureaucrats of the National Assembly between 2015-2019 like the Clerk and Deputy Clerk of the National Assembly, and Civil Society Organizations (CSOs).

The ranking lawmakers were selected across party lines seeing the roles played by the dominant APC and PDP lawmakers in the emergence of the 8th National Assembly leadership. Political parties were interviewed given their prime of place in the electoral process arising from the constitutional provision that candidates for election must be sponsored by political parties (Section 65 (2) (b) of the 1999 Constitution of the Federal Republic of Nigeria, [as altered]). Bureaucrats who oversaw the election of its leadership (Presiding Officers) and the inauguration of Senators-elect while CSOs with legislative mandates such as Policy and Legal Advocacy Centre (PLAC), Civil Society Legislative Advocacy Centre (CISLAC), among others assumed the place of citizens, given the strength of their advocacy and legislative know-how.

3.4. Research instruments

The Key Informant Interview [KII], Official Publications of the Executive (like the Presidential Proclamation Letter of the National Assembly), among others were some of the instruments used in conducting the research. The KII was adopted because of its ability to elicit indepth responses, while the official communications from the Executive (Proclamation Letter) and political parties were relied on to resolve the contention surrounding the inauguration of the 8th National Assembly. In fact, the KII was administered to the population as stated in Section 3.3. to elicit responses on the roles of Institutional, Electoral, and Personal factors in the election of the 8th National Assembly leaders.

3.5. Sources of data

Data were sourced from primary and secondary sources. The Primary source of data was the Key Informant Interview (KII) and while the Secondary sources were official publications of the National Assembly, journal articles, magazines, the internet, status of bills, and motion records, among others. The above sources of data provided literary as well as the empirical basis for the analysis and discussion of findings in chapter four.

3.6. Sampling procedure and size

The study adopted the Purposive Sampling Technique. The Purposive Sampling Technique is a non probability sampling procedure that ensures the researcher selects his/her respondents based on a set of outlined qualities; in this case, suitability of the information (Bernard, 2002). As subjective as the purposive sampling procedure is, it was chosen for this study because of the nature of information required which was in short supply and limited to specific groups otherwise known as key informants. Drawing from the foregoing, the sample size for the study

was determined purposively given the repetitious nature of qualitative data (Bertaux, 1981). Based on this, four (4) respondents each were selected from the population as stated in section 3.3.

3.7. Objective-by-objective approach

The objective-by-objective approach emphasizes the streamlining of research methods according to specific objectives of the study. Details of the type of data, interpretation of data, as well as expectations based on existing theory were tailored to suit the objectives outlined in the study.

3.7.1. Objective I: Examine the process of recruiting Legislative Leadership viz-a-viz Presiding Officers of the 8th Nigerian Senate

This study emphasized the leadership recruitment process and the independence of the legislature but a greater attention was paid to the election of Presiding Officers in the National Assembly particularly the Senate. Indeed, this objective sought to assess the process through which Presiding Officers in the 8th Senate were elected, the essence of which was to compare the ideal legislative leadership recruitment process as stipulated in extant laws with the election of the Presiding Officers in the 8th Senate.

Data required: Qualitative and Quantitative data were required. The data were from the official proclamation letter of the 8th National Assembly, the roll call of members of the 8th Senate at the inauguration, newspaper publications, the 1999 Constitution of the Federal Republic of Nigeria(as altered), the Senate Standing Order, etc.

Collection of data: To obtain a copy of the official proclamation letter and roll call of the 8th Senate required to achieve objective one, an official letter was addressed to the Clerk of the National Assembly. Thereafter, the official proclamation letter of the 8th National Assembly, the

roll call of members of the 8th Senate at the inauguration, newspaper publications, etc., were analysed.

Analysis of data: To achieve this objective, content analysis was adopted. Content analysis deals with the study of recorded information. Hence, content analysis was used to gather information on the attendance at the inauguration of the Senate and Key Informant opinions on the ideal legislative leadership recruitment process viz-a-viz the election of the 8th Nigerian Senate Presiding Officers.

Interpretation of data: The Thematic Approach was used in the presentation of data. The discussions was also rendered in prose but for the presentation of the number of Senators who were present and those who were absent at the Senate chamber during the inauguration.

Expected results based on existing theory: Based on the Principle of Separation of Powers adopted for this study, the study anticipated that given the theory's main postulation for the independence of the arms of government (see sections 4, 5, & 6), the National Assembly which, by the way, has the exclusive preserve of the legislative powers of the Federation would adhere to legal dictates (the Constitution and its Standing Rules) in the election of its leadership. An analysis of the legislative leadership recruitment process over time showed an interference in the recruitment process when juxtaposed with the present objective which could have resulted in a violation of extant laws.

3.7.2. Objective II: Assess the roles played by Institutional, Electoral, and Personal factors in the election of the 8th Senate leadership

It is no doubt that an electoral contest is shaped by several reasons. The reasons are responsible for the specific electoral choices as well as the contender's behavior. Given this, there is the need

to evaluate the roles played by the Institutional, Electoral, and Personal factors in the election of the 8th Senate leadership. In particular, this objective laid bare the contributions of the listed factors in the election of Presiding Officers in the 8th Senate.

Data required: Qualitative data were required. Data, for instance, were taken from the Key Informant Interview [KII], literature, etc.

Collection of data: Letters requesting for interview appointments were sent out to identified respondents introducing the essence of the study as well as the researcher. Questions on the KII were drafted to examine the roles of institutional, electoral, and personal factors in the inauguration of the 8th National Assembly whereby some Senators-elect/Members-elect were in their respective chambers (Senate and House of Representatives, respectively) for the inauguration which had been proclaimed by the President and the others at the International Conference Centre (ICC) for a political party gathering (Premium Times, Nigeria, 2015, 10th June). It must be stated also that the KII were administered to four (4) respondents each from the rectangular frame of lawmakers, bureaucrats in the National Assembly, CSOs, and political parties as identified in section 3.3.

Analysis of data: The content of the Key Informants Interview (KII) and relevant literature bothering on roles played by institutional, electoral, and personal factors in the inauguration and election of its leadership were analyzed. Indeed, the roles put forward were categorized into themes and discussed.

Interpretation of data: First, the content of the KII and other secondary materials such as books, official government publications, etc. were analyzed. Second, they were presented and discussed thematically.

Expected results based on existing theory: At the core of the principle of separation of powers is the fact that governmental powers are divided among the branches of government. Drawing from this, the study expected that the independent legislature should be insulated from externalities in the election of its leadership.

3.7.3. Objective III: Evaluate the effects of the influences of institutional, electoral, and personal factors in the election of the 8th Senate leadership on the independence of the legislative house and how such influences can be mitigated in the election of legislative leadership in the future

As noted in the preceding section, Institutional, Electoral, and Personal factors could play specific roles in the election of legislative leadership. However, little is known of the influence of these factors on the independence of the legislature. To this end, this section examined the effects of the influences of Institutional, Electoral, and Personal factors on the Independence of the Legislature viz-a-viz the Ideal Leadership Recruitment Process.

Data required: Qualitative data (suggestions on the effects of various factors on the election legislative leadership on the independence of the legislature and ways such influences could be mitigated in the future).

Collection of data: To accomplish the task of getting the KII, letters were written to the targeted respondents and an interview date scheduled afterwards. The Key Informant Interview (KII) was the major source of data complemented with literature. As already established, the KII were conducted on serving and former lawmakers who were key players in the inauguration of the 8th Senate (4), top bureaucrats of the National Assembly between 2015-2019 (like the former Clerk to the National Assembly [CNA]-Alhaji Salisu Maikasuwa, Deputy Clerk of the Senate-Mr

Adedotun Durojaiye, among others) (4), Civil Society Organizations [CSOs] (4), and political parties (4). These informants were selected purposively.

Analysis of data: Various kinds of literature bothering on legislative leadership, as well as the Key Informant Interviews (KII) conducted, were examined using the content analysis method to identify the effects of the influences of institutions, electoral process, etc. in the election of the leadership of the 8th Senate on the independence of the legislative house and ways to mitigating such influences in the future.

Interpretation of data: Used the content analysis, themes in the Key Informant Interview (KII) supported by relevant literature specifically on the effects of any influence in the election of legislative leadership on the independence of the legislative house and ways to mitigating such influences in future.

Expected results based on existing theory: The Principle of Separation of Powers delineates the functions of government between the arms of government. Dwelling on the precepts of Independence which the Separation of Powers connotes, it must be stated that the election of the legislative leadership in both Houses of the National Assembly is premised on constitutional dictates as well as its rules (see Section 50 and order 3 of the Senate Standing Rule).

3.7.4 Objective IV: To mitigate the effects of the influences of Institutional, Electoral, and Personal factors in the election of legislative leadership in the future

As already established, Institutional, Electoral, and Personal factors influence the election of legislative leadership. As a result, this section proffered strategies to the effects of the influences of Institutional, Electoral, and Personal factors on the Recruitment of Legislative Leaders viz-a-viz the Independence of the Legislature.

Data required: Qualitative data (respondent's views on the strategies to mitigate the influences of Institutional, Electoral, and Personal factors on the Recruitment of Legislative Leaders in the future).

Getting the data: To get the required data, letters requesting an interview schedule were written to the target respondents. Nevertheless, the Key Informant Interview (KII) was complemented with literature. Pointedly, the KII were conducted on serving and former lawmakers who were key players in the inauguration of the 8th Senate, top bureaucrats of the National Assembly between 2015-2019, Civil Society Organizations [CSOs], political parties, and members of the public. The selection of informants was done using the purposive sampling technique.

Analysis of data: The data collected (Kinds of literature bothering on legislative leadership, as well as the Key Informant Interviews (KII) conducted), were examined using the content analysis method to identify the strategies that would mitigate the effects of the influences of institutions, electoral process, etc. in the election of the leadership of the 8th Senate in the future.

Interpretation of data: The thematic approach was used for the interpretation of data. Consequently, suggested strategies from Key Informant Interview (KII) and kinds of literature were coded and framed into themes.

Expected results based on existing theory: In a nutshell, the Principle of Separation of Powers divides the functions of government between the arms of government. Likewise, the Recruitment theory presupposes the recruitment of Leaders based on inherent qualities suitable for specific tasks. Therefore, it is pertinent to state that the National Assembly has a constitutional duty to Recruit its Leaders in a manner that its Independence would not be undermine. Also, in the Recruitment of Legislative Leaders in the future, elected representatives must strive to identify qualities necessary in leading the legislative house.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS, AND DISCUSSION

This chapter contains the analysis of data. Thematic approach was adopted for the presentation of data. Therefore, discussion is in prose following the objectives of the study. The research methods described using the objective-by-objective method were implemented in the gathering, analyses, as well as the presentation of data. Besides, consequences of the recruitment of leaders of the 8th Senate were outlined to buttress the repercussions from the legislature's quest to asserting its independence in the recruitment of its leaders.

Table 4.1: Summary of Respondents Interviewed:

S/N	Population	No. of Respondent	Name of Respondent	Designation	Date [Time] of Interview	Venue	Mode of Interview
1	Senators	4	<ul style="list-style-type: none"> • Senator Bukola Saraki • Senator Ike Ekweremadu • Senator Bala Ibn Na' Allah • Senator Ali Ndume 	<p>President of the 8th Senate</p> <p>Deputy President of the 8th Senate</p> <p>Deputy Majority Leader, 8th Senate</p> <p>Majority Leader, 8th Senate</p>	<p>12/02/2022 8.07am</p> <p>16/12/2021 9pm</p> <p>15/12/2021 4pm</p> <p>17/12/2021 4pm</p>	<p>Office</p> <p>Telephone</p> <p>Private Residence/Office</p> <p>Office</p>	<p>Written Response</p> <p>Telephone</p> <p>Physical/Face to Face</p> <p>Physical/Face to Face</p>

2	CSOs	3	<ul style="list-style-type: none"> • Barrister Ebere Ifendu • Dr Clement Nwankwo • Mr Auwal Rafsanjani 	<p>Chairperson, Women in Politics Forum(WIPF)</p> <p>Executive Director, Policy and Legal Advocacy Centre (PLAC)</p> <p>Executive Director, Civil Society Legislative Advocacy Centre (CISLAC)</p>	<p>7/12/2021 11am</p> <p>14/12/2021 12:06pm</p> <p>16/12/2021 10:24pm</p>	<p>Office</p> <p>Office</p> <p>Office</p>	<p>Physical / Face to Face</p> <p>Email</p> <p>Email</p>
3	Top National Assembly Bureaucrat	1	<ul style="list-style-type: none"> • Alhaji Salisu Maikasuwa 	Clerk of the National Assembly	24/12/2021 11am	Private Residence/Office	Physical/Face to Face

4	Party Chieftains	2	<ul style="list-style-type: none"> • Barrister Garba Ibrahim 	Director, Legal Services, Peoples Democratic Party(PDP) Headquarters	10/12/2021	Office	Written Response
			<ul style="list-style-type: none"> • Alhaji Mohammed Diwal 	Chieftain, All Progressives Congress (APC)	16/12/2021	Office	Physical/Face to Face
5	Members of the Public	2	<ul style="list-style-type: none"> • Mr Gyang Francis Dalyop 	Development Economist at the Reset Nigeria Initiative (RNI)	10/1/2022 10.45am	Office	Physical/Face to Face
			<ul style="list-style-type: none"> • Mr UgonnaEzike 	Concerned Citizen	10/1/2022 3.15pm	Office	Physical/Face to Face

Source:Fieldwork,2022,(Researcher's Compilation)

4.1. The Process of Recruiting Legislative Leadership viz-a-viz the Presiding Officers of the 8th Nigerian Senate

Nigeria is a constitutional democracy denoting a supremacy of the constitution. Based on this, Nwankwo (2021), as well as Rafsanjani (2021), reiterated the constitutional basis for the recruitment of legislative leaders. Ekweremadu (2021), Ndume (2021), Na’Allah (2021), and Ifendu (2021) affirmed the position of the constitution in the recruitment of legislative leaders. On separate occasions, Nwankwo and Rafsanjani restated the provisions of Sections 60 and 62 of the Constitution, which aver that the Senate or the House of Representatives shall have the power to regulate its procedure, including the procedure for summoning and recess of the House, creation, and dissolution of committees and recruitment of principal officers. In fact, Section 50 of the 1999 Nigerian Constitution (as altered) provides for the election of the Presiding Officers of the National Assembly-the President of the Senate and the Speaker of the House of Representatives. Following the stipulation of Section 60 (power to regulate its own procedures), the Senate is guided by the Standing Orders which provides that only members of a House can vote for leaders once a quorum is reached. The Quorum is one-third of all members of the Senate under Section 54 (1) of the Constitution(as altered).

Maikasuwa (2021) affirmed the above positions when he asserted that “when I hear people talk about what transpired in the election of the 8th Assembly, I just laugh. Because my job as the Clerk is to make sure there is a quorum and on the 9th of June 2015, I can categorically tell you that quorum was formed.” Rule 3 in the Senate Standing Orders 2015 (as altered) provides for the recruitment of legislative leaders. Similarly, Diwal (2021) also stated that the recruitment of

legislative leaders is a constitutional matter. Reemphasizing these positions, Saraki (2022) stated as follows:

There is a sole constitutional provision regarding the election of leaders of legislative houses. Section 50 (1)(a) and (b) provides for the election of the President and Deputy President of the Senate and Speaker and Deputy Speaker of the House of Representatives with only two conditions: a. that these leaders must be elected by the members of the respective legislative houses. b. that they must be elected from within the ranks of that legislative house. The standing rules of the legislative houses provide for the how-that is, the mode of election (See appendix “b” for *Written Response*).

However, in a twist, Ibrahim (2021) averred that “there is no particular constitutional provision for the recruitment of legislative leaders rather, parties in the majority in the House usually, present candidates for election into legislative leadership in the two Houses of the National Assembly.” But, Ndume (2021) insisted that the recruitment process in place is legally premised given its roots in the Constitution and the Senate Standing Order of the Senate. This reaffirmed the positions expressed by Nwankwo (2021), Ekweremadu (2021), Na’Allah (2021), Ifendu (2021), and Diwal (2021). Senator Ali Ndume noted:

the process is very clear because it is supposed to be democratic. Such that everybody that meets the basic qualification has the right to contest and of course, people have the right to support a candidate of their choice, and they should be free, fair, uninterrupted, without arm twisting anybody. That is how it is supposed to be (See appendix “d” for *CD ROM*).

As stated by Nwankwo (2021), the ideal legislative leadership recruitment process is a peer selection process where members can identify their leaders by themselves. Factors to influence this could be hierarchy, ranking, and accomplishment. Hence, the need for “the leadership selection process to completely eliminate external influence particularly by the executive arm of government” (Nwankwo, 2021). Based on this, Rafsanjani (2021) concluded that :

I think the sections have clearly spelled out the roles of the three arms of government and for the best interest of peace, order and good governance of the Federal Republic of Nigeria, the current format that excludes all but elected

members of the National Assembly from taking part in elections reduces interference and should be maintained(See appendix “b” for *Written Response*).

Lending his voice, Na’Allah (2021) noted that “through free will, the elected Senators will elect their leader who will preside over the parliament. That is what the rule says”. Ifendu (2021) aligned with this position when she reasoned:

For me, the constitutional requirement we understand is that the National Assembly will be an independent body. We have the Executive, we have the Legislature and the Judiciary. The entire parliament is expected to be independent, and it is within their powers, among them as members of parliament to choose a leader or leadership for them, because he is going to be first among equals, so all of them, irrespective of party affiliation, to decide to lead them. So the constitution is clear that it is not the executive that appoints or nominates leadership nor the judiciary that will appoint or nominate leadership for the National Assembly (See appendix “d” for *CD ROM*).

Ifendu added that the recruitment requirements as stated in extant laws “is talking about membership of the National Assembly and the ranking position which refers to older members of parliament(MPs).The ranking position also includes members of the House of Representatives elected to the Senate”. Likening the position of ranking to regular businesses, Ifendu inferred that the longer you stay in Parliament, the more it is expected that you will have better knowledge of the Parliamentary business. This, she argued, was the reason people sought apprenticeship positions in business. However, putting the recruitment process of the leadership of the legislature more succinctly, Na’Allah (2021) stated:

First, after the election, the parliament has to look at the members that have been elected and ask one very basic question. Do we have a comfortable majority? What it means is that if we are to go by party loyalty and we are going to vote on anything, do we have a comfortable majority? Now as far as Nigeria’s Constitution is concerned, most of the decisions of Mr. President, that are critical, including impeachment and all these things, you need to know the majority. So if after the election, any party that cannot produce two-third, then cannot validly say that it has a comfortable majority. That was the case in the estimate. We were 53 from APC and 49 from PDP (See appendix “d” for *CD ROM*).

Continuing, Senator Bala Ibn Na'Allah added:

So, the right thing to do, if you really want to run a parliament successfully is to first recognize the fact that the opposition party cannot be dispensed with by the number of senators they have in the National Assembly, and therefore they need to be carried along. And to carry them along, it means if you take the position of President, then the Deputy should come from that number. Of course, it will be based on representation. And then too, the Senate President cannot win by just 53 votes of the Senators from his Party. More so when there is another candidate from the same party who is going to split his vote. So he needed the 43 from the other side, or let us even assume the majority from the other side, who are willing to concede by the mere fact that one of them is going to deputize for the position of the Deputy Senate President. So that was what happened (See appendix “d” for *CD ROM*).

As intriguing as it was, that was how Senator Bukola Saraki and Senator Ike Ekweremadu emerged as President of the Senate from the governing All Progressives Congress (APC) and Deputy President of the Senate from the Peoples Democratic Party (PDP), respectively. In fact, Dalyop (2021) and Ezike (2021) summed it as being a part of *politics*. Ezike said “I don’t blame the APC members that went for another meeting because they are new in government...Some of them had been there before. Thank God it happened because who knows how much debt we would have to be pay by now”. Altogether, while Section 50 of the 1999 Constitution (as amended) provides for leadership in the National Assembly, Rule 3 of the Senate Standing Order 2015 (as amended) stipulates the requirements and procedure for recruiting the leadership of the Senate.

4.2. Roles played by Institutional, Electoral, and Personal factors in the election of the 8th Senate Leadership

According to Ndume (2021), external interference “*is normal*” but he lamented that it is done in a way that it ought not be done. In fact, Ndume noted that the institution of political parties overplayed its part with the party taking sides although it is not supposed to take sides because

every member of the party, as long as s/he is eligible, s/he is part of the party. Hence, Ndume argued that taking sides amounted to violating the constitutional dictate of no discrimination. However, while the constitution of the political parties is silent on the election of legislative leaders, the party hierarchy often picks candidates based on party policies such as zoning, and failure to adhere to it serves as a violation of the code of conduct of members. Perhaps, this could be the reason Saraki's emergence as the President of the Senate, for instance, was described as "treachery" by the leadership of the APC. In fact, Saraki (2022) averred that "to the best of my knowledge, the constitution of the parties do not make any specific provision for the recruitment process of legislative leaders. Except that the parties sometimes used zoning of legislative leadership offices to influence how the leadership of the legislature emerges". However, Rafsanjani (2021) alluded that the constitutions of both the APC and PDP is silent on the recruitment process of legislative leaders. Nevertheless, the APC has it as an objective to secure as many legislative seats as possible to maintain control of the two Houses. And Article 9.1, Sub-section 2 of the party constitution provides punishments for members that go against party policy. Also, Paragraph K (3) of the PDP Constitution provides that "All public officers elected or appointed on the platform of the party shall be guided by the manifesto, rules, and decisions of the party." Ifendu (2021), however, did not see this as the political party having express powers in the recruitment process of legislative leaders.

Ekweremadu (2021) aligned with Ifendu(2021)'s view when he averred that Nigeria is a Presidential System embedded with the Principle of Separation of Powers. On that account, Ekweremadu argued that to accord political parties a place in the recruitment of legislative leaders means a deviation into the dictates of parliamentary democracies where party supremacy is sacrosanct. Nevertheless, there is a consensus that at any point, political parties would seek to

represent the interest of the executive led by the President (Ndume, 2021). Diwal (2021) concurred with Ndume as he argued that “most times the executive, through the party, try to interfere with elections at the National Assembly”. This is an acceptance of the fact that indeed, the institution of political parties influence the recruitment of legislative leaders. On his part, Ibrahim (2021) insisted that “it is the political parties that nominate and sponsor candidates for executive positions and not until a candidate is duly nominated by his/her political party, he/she cannot be elected into the legislative House”. Ibrahim further noted the specific role played by the Peoples Democratic Party (PDP) in the recruitment of leaders of the 8th Senate as follows:

- (a). “Nomination of candidates for several elections into the National Assembly;
- (b). Sponsorship of the candidates for several elections into the National Assembly; c. Lobbying other political parties’ members to vote for the candidate of the party's choice”.

Ibrahim (2021), on the above account, concluded that “to a large extent, the political party usually ensured that the candidate of their choice emerges during the recruitment process”. Based on the foregoing, Nwankwo (2021) stated that a political party cannot actively decide who emerges as presiding officer of a legislative house. However, beyond the procedures of nomination and voting in the house, it would seem that political party members had conversations on who their preferred candidates were, based on geopolitical zoning and other factors. At the end of the day, the emergence of the President of the Senate was determined by the votes of the legislators and not by the party. Explaining, Nwankwo recalled :

The role played by the political parties in the emergence of the leadership of the 8th Senate was a confusing one. Indeed, while the party had its preference, some other members of the party worked to produce a leadership that was different from that preferred by the ruling political party - the All Progressives Congress (APC). This saw Senator Bukola Saraki emerge as President of the Senate with a member of the Peoples Democratic Party (PDP) emerging as his deputy. It appeared that on the floor

of the 8th Senate, the conspiracy of collaboration was built between a faction of the APC Senators and PDP Senators (See appendix “b” for *Written Response*).

Corroborating the position on the role of political parties in the recruitment of legislative leaders, Ndume (2021) noted that even though he wanted to aspire to be President of the Senate, Senators-elect including himself “had to wait for the party to decide which zone was supposed to produce the Senate President.” Also, Dalyop (2021) concurred when he said that political parties nominate and sponsor candidates for elections making their interest in this instance, justified but warned that such incursion if not done within reasonable bounds can impede the democratic process. Ezike (2021) supported the interference of political parties in the recruitment of leaders of the 8th Senate but wondered why Senator Bukola Saraki would have to go through all that he did even when he belonged to the All Progressives Congress (APC). Nwankwo (2021), therefore, said “it is hard to state in particular terms how political party influence played out in the emergence of the leadership of the 8th Senate”. Nonetheless, Ibrahim (2021) affirmed that “Individual ambition might not hold much weight as the party comes first as its interest must be protected”.

Generally speaking, Personal factors like individual ambition played a role in the recruitment of the leaders of the 8th Senate. However, Ifendu (2021) stated that “like every other election, of course, there has to be ambition, a positive ambition”. Nevertheless, such ambition in itself may not be enough to actually gain the position, as members of the legislative house still need to vote where more than one person has been nominated. This underscores the importance of garnering support in addition to individual ambition. Therefore, Senator Bukola Saraki garnered the votes of all 57 legislators who were present and voted during the exercise and emerged unopposed (Nwankwo, 2021). This prompted Rafsanjani (2021) to assert that the political parties in the

election of the leadership of the 8th Senate went beyond party lines to work for individual ambitions. Rafsanjani concluded that “the APC and the PDP worked together to share the leadership roles”. Nevertheless, Nwankwo noted the role played by individual ambition in the emergence of the leadership of the 8th Senate because “Senator Bukola Saraki who emerged as President of the Senate had his ambition to become President of the Senate, while Senator Ike Ekweremadu who had just left the office of Deputy President of the Senate at the end of the 7th Senate plotted a return. He succeeded.” In person, Senator Saraki (2022) posited thus:

I think individual ambition played a significant role in the recruitment process of the 8th Senate leadership. The people who formed the leadership of the 8th Senate were propelled by a strong desire to occupy public office and contribute to national development such that they were able to overcome significant odds to emerge as leaders of the 8th Senate. The 8th Senate did not have leaders on whom leadership happened to fall. Rather, it was led by people who showed a strong desire to lead and deliver strong outcomes for the Nigerian people, which I think the 8th Senate was able to achieve (See appendix “b” for *Written Response*).

Reemphasizing the position expressed above by Nwankwo (2021) and Saraki (2022), Rafsanjani (2021) concluded :

Yes, the ambition of Bukola Saraki was the major determiner. The APC wanted Ahmed Lawan to be the Senate President. Saraki knew he would not get the support of all APC members so he worked with the PDP to augment the numbers. He also knew a full house would be against him, so they set out early to meet the constitutional quorum while other members of the APC were away (See appendix “b” for *Written Response*).

However, disputing Rafsanjani’s position on Senator Bukola Saraki and his allies setting out early to emerge leaders in the 8th Senate, Maikasuwa (2021) insisted that the *Proclamation Letter* from the President inaugurating the 8th Assembly was clear on the issues of date and time. Maikasuwa then wondered why Senators-elect would prefer to attend another meeting outside the official venue communicated to them for the inauguration. Clarifying his position further, Maikasuwa insisted that the National Assembly in its usual fashion after the week-long

orientation programme organized for legislators were provided with accommodation in Abuja as well as a means of transportation to all designated events which included the official inauguration. The reason behind this, Maikasuwa opined was that it had always been assumed that elected members were new in town hence, the logistics put in place for them.

A key player in the emergence of Senator Bukola Saraki as President of the Senate, Ndume (2021) restated the place of individual ambition in the recruitment of the leadership of the 8th Senate when he averred that “when we won the election, I was one of those that wanted to aspire to be Senate President because I had the experience and the interest in it.” Explaining further, Ndume observed:

while,we (members of the “Like Minds”) were seeking the support of Senators-elect, what Senator Ahmad Lawan did “was waiting and working to get the support of the President-elect then. And they succeeded in manipulating that. And unfortunately, the party did not come out clearly on time to say, we are supporting this or that [*sic*]. In fact, the party’s first announcement was that the Senate Presidency had been zoned to the North Central. And we say if this is the zone, our best candidate then was Saraki. So we decided to support him so that was how it all started. (See appendix “d” for *CD ROM*).

In the ensuing power play and display of individual ambition, Senator Ali Ndume was not spared as he fell victim to a larger political maneuvering. Recounting the interplays, Ndume stated that Senator Saraki “went behind my back and negotiated with the PDP for a Deputy. That was how I lost out”after we (“Like Minds”) had decided on the contest for President of the Senate and Deputy President of the Senate; (the “Like Minds” had settled for a Saraki and Ndume led Senate).According to Ndume, they rejected the proposition when they began courting the Peoples Democratic Party’s Senators that were 49 in number. Emphasizing the place of individual ambition in the recruitment of legislative leaders, Ndume (2021) noted that “as I told

you, I was even outplayed.” In the same vein, recounting the role individual ambition could play in the recruitment of legislative leaders, Ekweremadu (2021) stated:

I think in 2003, I came to the Senate in 2003. In 2007 when I was to run as Deputy Senate President to David Mark, a day before the election, the party called and said you will still be Deputy Senate President but you will not run with Mark. I asked why and then told them I am interested in working with Mark. I returned and told Mark the plan. And I am sure that the rest is history (See appendix “d” for *CD ROM*).

Finally, Electoral factor such as the election process plays a prominent role in the election of presiding officers. The procedure for election of President and Deputy President of the Senate is established in Rule 3 of the Senate Standing Order 2015 (as amended). For this reason, Na’Allah (2021) posited:

The recruitment process for principal officers of the National Assembly, as it exists today, based on the rules of the Senate, that I know and the House where I was before, is that whoever wants to be the Senate President or the Speaker of the House of Representatives, should canvass for votes from his colleagues. And on the day of the inauguration, he would be nominated by one of his colleagues and then seconded. And then based on that he becomes a candidate for that position, either as President of the Senate or Deputy Senate President; Speaker, or Deputy Speaker of the House of Representatives (See appendix “d” for *CD ROM*).

Supporting Na’Allah’s position, Ndume (2021) added that Senator Bukola Saraki gave the PDP Senators his word so, “we got all the votes” while some members of APC that were in support of Senator Ahmad Lawan, were at the International Conference Centre (ICC) waiting for the President to give them the much-needed order as to who to vote for. But the election was conducted as soon as quorum was formed. Overall, the prime place of the constitution cannot be overstated in Nigeria’s democratic experiment hence, it is important to state that extant regulations on the recruitment process of legislative leaders in the 8th Assembly were complied with (Maikasuwa, 2021). Recounting the duties of the Clerk of the National Assembly,

Maikasuwa asserted that the Clerk, would be at the chamber on two occasions: first, on the inauguration of an assembly and second, during the presentation of the annual budget as he and the deputy presiding officers of both Houses go to receive the President into the chamber. As a result, Maikasuwa averred that “there was no way I would have disregarded a Constitutional responsibility which is the Letter of Proclamation” (see appendix “c” for a copy of the *Proclamation Letter*).

Putting a seal on Senator Ahmed Lawan’s aspiration to the office of the President of the Senate in 2015, Maikasuwa (2021) recalled that nomination for the position of a presiding officer in the National Assembly cannot be done in absentia. Clearly, following the Provisions of Rule 3 of the Standing Order, even if Senator Ahmad Lawan’s “Unity Forum” Senators were in the chamber on the day of the inauguration, not much would have been done since he (Senator Ahmad Lawan-the Principal actor) was at the International Conference Center (ICC) for a meeting with the President and so, could not have been nominated and be voted for in his absence.

4.3 Effects of the influences of Institutional, Electoral, and Personal factors in the election of the 8th Senate leadership on the Independence of the Legislative House

The influences of the various environments identified by Little (2016) being Personal (Individual Ambition), Institutional (Political Parties), and Electoral (Conduct of the Legislative Leadership Election), are itemized below:

- 1) Nwankwo (2021) highlighted the effects of personal factor viz-a-viz individual ambition in terms of the nomination of Senator Bukola Saraki for the position of President of the Senate. Senator Bukola Saraki was unanimously elected by 57 Senators present at the time of the election. This satisfied the requirements for quorum and voting. Although

the the All Progressives Congress (APC) which was the ruling party, was said to prefer his opponent, Senator Ahmad Lawan for the position, these sentiments in themselves were not sufficient to fault the emergence of Senator Bukola Saraki, as long as the laid down procedures of the Senate were followed in the election process. It is the observance of these laid down procedures as contained in the Standing Orders of the Senate that upheld the independence of the Senate.

Rafsanjani (2021) recalled that individual ambition is important because every person comes to the legislative chambers with the ambition to serving his/her country. Sometimes such plans for the country can only be realized from a position of leadership in the House. Thus, the need for individuals to contest for a leadership role. Rafsanjani identified lack of patriotism as a demerit of individual ambition since it is not every member of the Legislative House that is driven by the desire to serve his/her country. Therefore, he argued that “some want leadership positions to satisfy their ego or other selfish reasons”. Lending his voice on demerit of individual ambition, Saraki (2022) asserted that the “election of people who aren’t driven by the ambition to serve the country may be negative in that such people will not display the sort of visionary leadership required to lead a legislative house competently and efficiently”. Nevertheless, he concluded that “the 8th Senate’s leadership comprised of people who were driven by their ambitions and determination to serve the country and contribute to its growth and development. Again, I believe this would have been different if people without that drive and ambition had been selected”.

Indeed, individual ambition as was evident in the recruitment of the leadership of the 8th Senate could have meant that prominent candidates who were not necessarily the preferred

candidates were nominated to contest, and became the options that Senators-elect had to choose from.

2) On Institutional Influences (i.e, Political Parties), Nwankwo (2021) alluded that the scenarios in the individual ambition were also similar to Political Party influences, in the sense that the preferred candidates of the political party (in this case, the APC) could not have been particularly popular among the legislators to becoming presiding officers. Therefore, Nwankwo adduced that the political party could have leaned towards a candidate because it believed s/he could be more willing to carry out the biddings of the party. Although this could also be advantageous where the agenda of the party was positive, as it could mean that the working relationship between the Senate and the Executive could be cordial concerning policy making and other matters of governance. It was hard to tell how much political parties' influence affected the 8th Senate as all material subjects remained in the realm of speculation. This notwithstanding, it is sufficed to state that the 8th Senate did not appear to have the best working relationship with the executive but observers of the legislature saw the 8th Senate as having held its own and protected its independence (Nwankwo, 2021). Accordingly, Saraki (2022) stated that “on three occasions, the Senate passed votes of confidence on its leadership with over 80 Senators voting in support...with the determination in both parties for an independent Senate”. This position may have prompted Ibrahim (2021) to argue that “there is a lot of merit in the influences of the political party in the recruitment process as the interest of the political party is always protected”.

Ndume (2021) argued that these influences posed existential demerits to Nigeria's democracy. According to Ndume, the structural defect in our legislative institution arising

from such influences are innumerable. He frowned at not practicing, wholly, America's presidential democracy after which our system of government is modeled. To buttress his point, following several allegations of voting fraud by President Donald J. Trump and then the constitutional requirement for the Senate to certify the Electoral College Votes, Vice President Mike Pence who presided over the session in his capacity as the Senate President, certified the results from the Electoral College, refusing the urge to overturn President Joe Biden's win (Consumer News and Business Channel [CNBC], 2021, 6th January). Pinpointing the influence of the executive expressed as those of the political party in the Nigerian context, Ndume (2021) queried:

It is not that the presidency should not have an interest. The president must have an interest as to who is leading the Senate so that they will be on the same page all the time or most of the time. So you have to know if we are going to work with that type of person. There is nothing wrong with the president or anybody in the executive arm also preferring a particular candidate over another. But it is wrong to arm-twist others. It is wrong and that is what is happening in Nigeria...they arm-twist some of the Senators. (See appendix "d" for *CD ROM*).

Drawing from recent events, Ndume who himself contested against the present President of the Senate-Senator Ahmad Lawan, wondered why elected state governors would abandon their states to observe the inauguration of the 9th Senate. In his words;

In our own case, especially the recent one where I lost, governors were drafted to sit in the gallery. This is sad. These are senators, okay. Constitution provides for the election of National Assembly members. It is very undemocratic. It is just sad.(See appendix "d" for *CD ROM*).

Going further, Ndume argued:

The way I look at it, what is spoiling this democracy is the military mentality that they try to import and mix up with democracy. And then, we have this mess now. Nobody wants to talk against the president. Nobody wants you to raise an opposition voice, or nobody wants you to criticize the president. (See appendix "d" for *CD ROM*).

Decrying the dangers inherent in the influence of political parties on the recruitment of legislative leaders, “we are supposed to be open to criticism, objective criticism anyway. There are some people that come out to do opposition or criticize, you know, unhealthily”. The Distinguished Senator stated further that healthy criticism is lost because of the need for “*imposed*” legislative leaders to guard against open confrontation with their benefactors. Therefore, Ndume noted that the 8th Senate’s actions were viewed as “Saraki against Buhari or the Senate against the government or the party”. However, Rafsanjani (2021) stated that the merit of the influences of the political party is that every party has a vision and ideology and wants to see them manifest in the Senate. Thereby making it vital to identify a legislative leadership that will best serve its goals. Similarly, Saraki (2022) noted that the role of All Progressives Congress (APC) was geared towards ensuring that the Senate got the leaders it desired. Therefore, Saraki listed as its merit the centrality of the influence of the APC in fostering the “strategic alliances within the party and across party lines that made possible the electoral outcome desired by majority of would-be Senators”. Conversely, Rafsanjani revealed that the demerit of the influences of the political party, notwithstanding, is that even though the legislators were elected on the platform of the party, they are officers of the Federal Republic and as such should work for the country, not party interest. In the same vein, Saraki (2022) argued that a demerit of the influence of political parties could be that such overbearing influence may result in the institution of the legislature not getting the leadership it desires. Pointedly, Saraki (2022) averred that:

Situations can arise where the leadership of the legislative house is determined by external forces within the party with the majority in the legislative house rather than by the choice of the legislators themselves. The possible consequence of this includes losing the independence of the legislative house in

question and/or having a legislative house that lacks the sort of character or that is driven by self-serving behaviors and a sense of entitlement. (See appendix “b” for *Written Response*).

- 3) Rafsanjani (2021) highlighted the merit of the Conduct of the Election (that is, Electoral Factor) resulting in the protection of minority rule. He argued that both parties got a say in the leadership. Adding to Rafsanjani’s position, Ifendu (2021) quipped:

Well, for me, I saw the emergence of President of the Senate, the recruitment process adopted as a positive thing, because we saw a vibrant Assembly, we saw a tough 8th Assembly, we saw an Assembly that could not be cowed. So I think, that was actually something good for democracy, because we could see a Parliament come out fully to support the masses, support ideas that will favor the generality of persons not considering their political affiliation, they could stand firm to know, to ask questions on certain requests from the Presidency. And this is not what we are seeing now, because what we are seeing is basically something dominated by the Party, who got imposed on the members of Parliament. And of course, who will always, you know, play to the gallery (See appendix “d” for *CD ROM*).

From Ebere’s point of view, the conduct of election ensured the independence of the 8th National Assembly viz-a-viz 8th Senate. Aligning with Ebere’s position, Saraki (2022) reasoned that “the conduct of the election in fulfillment of the provisions of the Constitution allowed the 8th Senate to freely elect its leaders and ultimately allowed them to fulfill the desire to be firm, committed and independent arm of government”. Diwal (2021) supported this merit of the conduct of election on the independence of the legislature as he instantly enthused: “Yes! It was good for governance. Look at what is happening now. Where are we heading as a country?” Rafsanjani, however, added that the demerit of the conduct of the election is that “it created a house where the will of the majority is not reflected. It made the country unstable with in-fighting amongst the major political parties”. Diwal recounted the apparent loss of independence of the legislature in the 9th Assembly as he reasoned, “see what happened with the electoral law.

Until there was public outcry, before the Senate particularly agreed on the electronic transmission of results”. Also, Ndume (2021) shared the same view when he opined :

This excessive executive interference in the selection process, is supposed to be invisible. But in the case of Nigeria, it is always visible. And that is why you hear us being referred to as rubberstamp. Because whatever decision the Senate takes, or the National Assembly, they defer to the executive. Our constitutional responsibility is not to defer to the executive, but oversight the executive. And now we are not overlooking the executive. That is why everything is just going anyhow. Nobody wants to call somebody to order. Or even ask a question or check on something. The executive people now do whatever they like. And, in fact, when you say ask a simple question, these days, people begin to say, Ah! This guy! In my own case, I get away with it, because they know my relationship with Mr. President (See appendix “d” for *CD ROM*).

Na’Allah (2021) supported the above assertion as he noted :

These interventions will serve as a clog. You know, to the elected leader, because now, he has known that apart from his colleagues, other external factors have become responsible for his emergence as a President or Speaker. And therefore, those influences have to be serviced by way of loyalty, which means the independence of the parliament will in a way be compromised by this process (See appendix “d” for *CD ROM*).

Finally, Saraki (2022) submitted that “for the 8th Senate’s ability to elect its leaders without external forces ensured that it acted independently in the performance of its constitutional roles”. Clearly, the conduct of elections can erode the independence of the legislature depending on the way the election swings. Na’Allah concluded that with the conduct of election, “we end up not having the kind of independent parliament with the capacity to check the excesses of the executive with respect to running the affairs of the country. And, you know, unfortunately, parliament is supposed to be the hotspot where ideas are generated.” In the course of the study, several litigations that followed the recruitment of leaders in the 8th Senate were highlighted.

4.4 Strategies to mitigate external influences on the recruitment of legislative leaders

Since human endeavours cannot be divorced from challenges, respondents suggested the following:

- 1) **Adhering to the provision of extant laws:** All respondents reiterated that the recruitment process of legislative leaders is legally premised. In all constitutional jurisdictions like Nigeria's, the supremacy of the constitution is always paramount. Rather than pander to individual ambitions, intending leaders especially legislators must strive to uphold the provisions of the constitution. Although it has been established that there were violations of extant laws, adhering to the provisions of such laws meant that since the proclamation letter had been sent and Senators-elect were duly communicated on its subjects (Maikasuwa, 2021), attending a political party meeting on the same day and time was unnecessary. Just as Ifendu (2021) posited:

I think it is for the members of parliament, first of all, understanding why they are there, who they are, and who they represent. If they can put this together, they will know that as an independent organization, nobody will castigate them for doing the right thing. However, in a situation where they are not able to understand that they are Independent and that they could take decisions and stand on their own after their inauguration... (See appendix "d" for *CD ROM*).

In other words, knowing what to do, why you are in the Senate, and who you owe allegiance connotes adherence to the provisions of extant laws which in fact, should be their guidebook. On this note, Ifendu (2021) concluded that she "looks forward to seeing more legislators knowing their rights and their roles in society, and being able to defend their rights as an independent body". In a veiled reference to adhering to laws, Ibrahim (2021) noted one of the ways of mitigating the influence of political parties in the recruitment of legislative leaders as "subjecting the election to the best democratic process". This means that since the 1999 Constitution

provides the guidelines for the operation of Nigeria's democracy, heeding to the democratic process means abiding by the dictates of the constitution and other extant regulations like the Standing Order in the recruitment of legislative leaders in the future. Overall, Saraki (2022) lamented the underdevelopment of the legislative arm of government because during the military era, the lawmaking functions were assimilated by the executive resulting in a lack of development at the pace of the other arms of government" and so, emphasized its strengthening within the ambit of constitutional dictates.

2) Imbibing the democratic culture of lobbying: The Chartered Institute of Public Relations [CIPR] (2012) defines lobbying as a discipline within Public Relations where the general intention of the activity is to inform and influence public policy and law. In 2012, the Chartered Institute of Public Relations (CIPR), Public Relations Consultants Association (PRCA) and Association of Professional Political Consultants (APPC) agreed that "*Lobbying services*" means activities that are carried out in the course of a business for: (a) influencing government, or (b) advising others how to influence government.

In contrast to Nigeria, in the United States of America (USA), United Kingdom (UK), European Union (EU), China, among others, lobbying has been accepted as a profession (with over 100,000 registered lobbyists), with the complementary regulatory framework (Thisday, 2020, 1st November). Thisday recorded that lobbying in these countries has become bigger, bolder, and a money-spinner. In the US for instance, the "*K Street*" (like Wall Street for Financial services) has become synonymous with America's lobbying firms as most have their offices there. In 2019, American companies spent approximately US\$3.51 billion on lobbying, the highest amount since 2010, in a bid to influence some Trump administration policies that affect their bottom-line. Ndume (2021) concurred with the

concept of lobbying in recruiting the leaders of the legislature. Diwal (2021) lent his voice to Ndume's position as he stated:

What is supposed to happen is, the legislator only works with the lobby team of the executive, which works everywhere in the world. That is how I look at it. I think, by and large, I want to believe the party should not interfere directly with anything that has to do with the Legislative elections(See appendix "d" for *CD ROM*).

Senator Dino Melaye in attempting to legalize lobbying in Nigeria proposed the "*Bill for an Act for the Regulation and Registration of Lobbyists in Nigeria and for other matters connected therewith, 2016*" (Premium Times, Nigeria, 2016, 13th October).

3) Consensus Building: Consensus building could allow groups to reach an overwhelming agreement among relevant stakeholders and maximize possible gains to everyone. Ndume (2021) made a case for the adoption of consensus-building where all power blocs would be satisfied. Ndume decried the of consensus-building habit in the 8th Senate when he stated:

After our election when Lawan lost out, they came out to say that Lawan should be the Senate leader. And we said no. You cannot impose a leader on us. But the Senators of APC, who have the majority should elect whoever they want. I went into the contest myself, Binta, and...indicated interest, including Lawan that was recommended by the party. I won (See appendix "d" for *CD ROM*).

Ndume reckoned that ordinarily, principal officers' positions are zoned in line with the imperatives imposed by Nigeria's regional politics. Na'Allah (2021) reiterated the zoning culture when he revealed that "political parties again, can come in to say, okay, we are going to zone this position. So if the President is coming from the South, the Speaker should come from this..." Na'Allah, however, argued that the practice is counterproductive because parliament is a fully democratic institution. Therefore, he posited that although the offices are zoned, by consensus, a candidate can be nominated. Recounting his emergence as Senate

Majority Leader, while the Senators listed earlier stepped down, “Ahmad Lawan’s campaign manager was there, he voted for him, he got one vote, I got eleven”. In practice, the culture of consensus-building if anything could reduce the rancour associated with the recruitment process of legislative leaders in the future.

4) Value Re-Orientation: The general notion of interference in the recruitment of legislative leaders has been established to be more pronounced with political parties seeking to represent the interest of the executive. Based on this, Nwankwo (2021) opined that in mitigating the influence of political parties in the recruitment process, even though it is a factor that may be difficult to completely eliminate in the election of the legislative leadership because each legislator contests and won his/her seat on the platform of a political party, it behooves individual legislators to exercise their rights to vote for their presiding officers in a way that benefits the legislative house by choosing a leader they believe is capable of doing the job and not based on party sentiments. In addition, Rafsanjani (2021) added that the influences could be mitigated if the political parties took a backseat and allowed members to choose their leaders without external influence. Again, it may be difficult to entirely take away individual ambition in this process. Ambition can be both positive and negative in the sense that a credible and passionate individual can indicate interest in contesting for a legislative leadership position and vice versa. The important thing is that ambition should not get in the way of allowing for a free and fair contest. After all, Saraki (2022) insisted that “parties should field the best candidates who can effectively play the role of lawmaking, oversight, and representation. By this, I mean parties should field the best candidate and also zone the legislative

leadership positions...with some capable candidate in mind”. This, indeed, would signal the first step towards value reorientation.

4.5 Consequences (Fallouts) of the Recruitment of the 8th Senate Leadership

The recruitment of the leadership of the 8th Senate is not without consequences either to the actors involved or the citizens. The study highlighted the following as some of the repercussions of the recruitment of the 8th Senate leadership:

- (i) **Political Losses:** Senator Bukola Saraki was forced to decamp to the opposition Peoples Democratic Party (PDP) due to irreconcilable differences in the APC thereby resulting in the loss of his grip on Kwara, his homestate politics. Hallmarking what turned out to be the greatest loss of the Saraki’s political dynasty in Kwara Politics, the *Ó Tó Ge Slogan* (which translates to “enough is enough” in English) ,was first adopted by Lazeez Ayinla Kolawole, a 79-year-old member of the All Progressives Congress. Analysts have dubbed *Ó Tó Ge*, as a successful three-worded campaign slogan that essentially ended Saraki's dynasty’s decades of political grip in Kwara State. In an appearance on National Television, Senator Bukola Saraki said that the *Ó Tó Ge Movement* taught him that “elections have to do sometimes with sentiments or propaganda” (The Whistler, 2021, 26th October). The former President of the Senate said, “if you come to Kwara today and talk to people, you will find that a lot of them will tell you that ‘we were sold lies and propaganda...we have made certain mistakes in following up the issues and that at the end of the day, they were better off then than now.” Saraki’s prior domination of Kwara politics which could be traced to his late father, Senator Olusola Saraki (Oloye), who had transferred the baton of leadership to his son, was lost allegedly from the fallouts of the recruitment of the 8th Senate leadership.

(ii) **Presidential Veto of Bills Enacted by the 8th National Assembly:** In the 8th National Assembly, 515 bills were passed but only 80 were assented to by the President (YIAGA Africa Centre for Legislative Engagement, 2019). Commentators believed that for instance, the Electoral Bill that was rejected by the President for insistence on the Direct Mode of Primary nomination of candidates, was indeed, similar to the version that was declined assent during the legislative tenure of the 8th Assembly (Thisday, 2021, 28th July). Scholars opined that the veto of some of the landmark legislations like the Electoral Amendment Bill as well as the Petroleum Industry Governanance Bill (PIGB) was politically motivated because of the circumstances surrounding the emergence of the leadership of the 8th National Assembly against the position of the governing All Progressives Congress (APC). Although this remained in the realm of speculation, the euphoria that greeted the passage of the highlighted legislative proposals in the current dispensation pointed to the fact that not only were the bills well-intentioned, the proposals were truly for “peace, order, and good government of the Federation”. The electoral amendment bill was again declined assent for the inclusion of the mandatory direct mode of primary by the legislature after it made a volte face to return the electronic transmission of results following public outcry. The electronic transmission of results was the highlight of the electoral amendment bill in the 8th Assembly. Therefore, rather than constructive executive-legislative relations that could yield good governance, the relationship was conflictive with frequent confrontations. Nevertheless, in a veiled reference to the achievements of the 8th Senate, Na’Allah (2021), in responding to whether or not he was proud of the achievements of the 8th Senate, stated :

As to whether that parliament was run effectively or not, I leave that to Nigerians. I don't want to say it...you cannot be a judge in your own case, because at all material times during the 8th Senate I have been the Deputy Senate Leader. So if I make any statement to that effect, I think I'm not being magnanimous (See appendix “d” for *CD ROM*).

Overall, although a careful study of the outcome of successive Legislative Leadership has been negative over the years, however, in the present case, it accounted for the number of Bills declined assent by the President during the legislative tenure of the 8th Senate.

(iii) **Litigations:** Key players in the emergence of the 8th Senate leadership were met with dire consequences. Chiefly, Senator Bukola Saraki was arraigned at the Code of Conduct Tribunal

(CCT) on the charges of false asset declaration (Vanguard, Nigeria, 2015, 27th September). Also, the President of the Senate, the Deputy President of the Senate, and the Clerk of the National Assembly were again arraigned on accounts of altering the Senate Standing Order 2015 [as altered] (Punch, Nigeria, 2016, 20th June). Dismissing his arraignment in the Federal High Court, Jabi, Abuja, Maikasuwa (2021) asserted that the prosecuting counsel hired by the government in his opinion advised on the withdrawal of charges because there were no *prima facie* cases established against the defendants. This further affirmed the provision of Section 60 of the Constitution that permits the Houses to regulate their procedures. Maikasuwa insisted that as the Chief Bureaucratic Officer of the National Assembly, he carried out a constitutional presidential directive that proclaimed the 8th Senate using the instrumentality of extant laws.

(iv) Plots of Impeachment: Just as the proverbial cat with nine lives, the 8th Senate leadership survived several impeachment attempts. Ndume (2021) alluded to the fact that there were indeed impeachment attempts against the leadership of the 8th Senate, but the plot failed each time because of the acceptance of the leadership by senators. Recalling past events, Ekweremadu (2021) noted that the short stints of Senators Ewerem, Chuba Okadigbo, and Adolphus Wabara were attributable to lack of popular support from the rank-and-file. Ekweremadu alluded that in each instance, senators did not see them as their sanctioned leadership and this made their removals easy. In the same vein, Maikasuwa (2021) recalled how such unpopular legislative leaders in the past were removed unceremoniously. Maikasuwa recollected the removal of Honourable Patricia Etteh in the 6th House of Representatives and the election of Honourable Aminu Tambuwal in the 7th House as practical examples. Detailing these events, Maikasuwa posited that Honourable Patricia Etteh

during the valedictory session of the 6th House rose and said, “I just want to put it on record that I was not impeached but resigned. As I did so, I know you all knew that I was not guilty of contract racketeering as was alleged”. Thus, laying to rest the allegations of fraud against her. As the Chief Accounting Officer of the National Assembly at some point, Maikasuwa (2021) quipped, “I can tell you categorically that she did not do anything but her colleagues saw her emergence as a dent on the independence of the legislature and opted to see her out by all means”.

- (v) **Betrayal:** According to Ndume (2021), in the Senate, “we had this initial misunderstanding. And there was no kind of sincerity and openness and transparency in the process so that muddled up things and created some kind of unhealthy relationship that affected not only the performance of the 8th Senate, but the government of the day from 2015 to 2019”. As compensation for his role in the recruitment of the 8th Senate leadership, Ndume even though he contended with a senator who stepped down for him and another who got a vote for the position of majority leader, he was again removed from the position of majority leader for what could best be described as his hardline stand. Ndume alleged that his principled nature cost him the position of the majority leader of the senate to Senator Ahmad Lawan. This study found a strong link between the senators’ initial statement of being “outplayed” and his removal as the Senate Majority Leader (Premium Times, Nigeria, 2017, 10th January).

CHAPTER FIVE

SUMMARY, RECOMMENDATIONS AND CONCLUSION

In this chapter, the Summary, Recommendations, and Conclusion of the study are presented. In line with best standards, the Summary gives an overview of the research, the Recommendations are the thematic presentation of the strategies suggested by respondents on how to mitigate the influences of the Electoral, Institutional, and Personal factors on the recruitment of legislative leaders, while the Conclusion bears the assertive positions on the various points raised in the course of the study.

5.1. Summary of Findings

The Legislature occupies the place of the bastion of any democracy hence, several scholarly attention given to it. In fact, different studies have shown that the legislature is the distinguishing feature between autocratic and democratic administrations. Therefore, to uphold its constitutional place of pride, there is the need to focus on the recruitment process of its leaders. As already established, an air of uncertainty continues to surround the emergence of legislative leaders in the Fourth Republic. However, given its place of primacy in governance, this study assessed the effects of personal, electoral, and environmental factors on the recruitment process of legislative leaders. The specific aims of the study were to examine the process of recruiting legislative leadership viz-a-viz the presiding officers of the 8th Nigerian Senate; assess the roles played by Institutional, Electoral, and Personal factors in the election of the 8th Senate Leadership; and evaluate the effects of the influences of Institutional, Electoral, and Personal factors in the election of the 8th Senate leadership on the independence of the legislative house.

Primarily, the study was designed to add to the growing literary attention to the legislative leadership literature. Therefore, to achieve the objectives, the study adopted the objective-by-objective approach which outlined specific methods against the set objectives. In general terms, however, the study adopted the Mixed Research Design thus relying on both qualitative and quantitative data. Data were sourced from both primary and secondary sources. Specifically, primary data was taken from Key Informant Interviews [KII] while secondary data were obtained from journal articles, newspapers, magazines, official publications of the government (i.e., official proclamation letter, etc.), the internet, among others. Content analysis method was used for the analysis of data. Besides, data were presented in themes depicting the objectives of the study.

Based on Objective one, findings showed that the process of recruiting legislative leaders was constitutionally premised following the Provisions of Sections 50 and 60 of the 1999 Constitution of the Federal Republic of Nigeria (as altered). In addition, Rule 3 of the Senate Standing Order 2015 (as altered) stipulates the requirements necessary for the recruitment of presiding officers in the Senate. Unanimously, respondents-Senators Ike Ekweremadu, Bala Ibn Na'Allah, Ali Ndume; the President of Women in Politics Forum (WIPF) Barrister Ebere Ifendu; the Executive Directors of the Policy and Legal Advocacy Centre (PLAC) and Civil Society Legislative Advocacy Centre (CISLAC) Dr. Clement Nwankwo and Mr. Auwal Rafsanjani respectively; a member each of the Peoples Democratic Party (PDP)-Barrister Garba Ibrahim and All Progressives Congress (APC)-Alhaji Mohammed Diwal; the Former Clerk of the National Assembly-Alhaji Salisu Maikasuwa; a Development Economist at the Reset Nigeria Initiative (RNI) Mr. Gyang Francis Dalyop; and Mr. Ugonna Ezike (a concerned citizen) affirmed the constitutional procedure in the recruitment of legislative leaders.

Objective two which examined the roles played by Institutional, Electoral, and Personal factors in the election of the 8th Senate leadership found that indeed, Individual Ambition, Conduct of Election, and Political Parties influenced the recruitment of leaders in the 8th Senate. In specific terms, Barrister Ebere Ifendu stated that Individual Ambition drove the legislative recruitment process. In the same vein, Senator Ike Ekweremadu, Bala Ibn Na’Allah, Ali Ndume, and the former Clerk of the National Assembly-Alhaji Salisu Maikasuwa confirmed that the Conduct of Election which, in fact, is stipulated in the Constitution, as well as Standing Order, shaped the recruitment of leaders in the 8th Senate. Specifically, an examination of the Roll Call revealed that as soon as one-third (1/3) quorum was established, Senator Bukola Saraki was nominated by Senator Sani Yerima and seconded by Senator Dino Melaye who was then elected unopposed with 57 votes as 51 Senators mainly of the All Progressives Congress (APC) were at the International Conference Centre for an alleged meeting with the President. Alhaji Salisu Maikasuwa who, by constitutional providence, chaired the inauguration ceremony restated that the inauguration followed constitutional dictates.

Merits and demerits of the influences of Individual Ambition, Political Parties, and the Conduct of Election were highlighted by respondents. On the influence of Political Parties, both Ali Ndume and Ike Ekweremadu observed that this is unhealthy for a presidential democracy like Nigeria’s but could help galvanize for common action in governance. Based on Individual Ambition, Auwal Rafsanjani stated that its merit could be that individuals are propelled to serve, however, in the negative sense, such desire for service may not be driven by patriotism. The Conduct of Election, according to Rafsanjani ensured the preservation of the minority status. There seemed to be a consensus by respondents that since the provisions of extant laws were complied with, there were no known demerits. Finally, recommended strategies to mitigating the

influence of the listed factors were value re-orientation; consensus building; imbibing the democratic culture of lobbying; and adherence to the provisions of extant laws. Overall, repercussions for the recruitment of leaders in the 8th Senate were litigations, such as arraignments of its president at the Code of Conduct Tribunal (CCT) as well as with a few others at the Federal High Court on the allegation of altering its Standing Order; and the presidential veto of some citizen-centered legislations like the Electoral Amendment Proposal and the Petroleum Industry Governance Bill (PIGB).

5.2. Recommendations

The study proposed the following recommendations:

Value Re-orientation: There is an urgent need to redefine Leadership in Nigeria. This becomes necessary following the influences of Political Parties, Individual Ambition, and Conduct of Election on the recruitment of the 8th Senate Leadership. In context, the study had demonstrated how individual ambition underlined activities that hallmarked the recruitment of leaders in the 8th Senate. Therefore, value re-orientation must be paramount even in the nomination of candidates by political parties to enhancing the prospect of electing patriotic representatives into all levels and arms of government.

Consensus building: To ensure a united legislature determined to work for Peace, Order, and Good Government of the Federation as mandated by the Constitution, it is pertinent to imbibe the culture of consensus building. Essentially, consensus building ensures that majority have its way while minority rights are preserved. Building consensus in the recruitment of the leaders of the legislature would ensure that there would be unity of purpose within the legislative house as well

as to leave no room for unnecessary political manouvering that may derail the goals of the chamber.

Imbibing the democratic culture of lobbying: The concept of lobbying has come to be accepted as a modest way of achieving consensus. This has become the case as individual ambition cannot be overruled from any viable democracy. Primarily, one of the major catchwords of democracy is “equal participation” which in fact, is driven by individual ambition. Since such ambition cannot be dispensed with, the tenets of lobbying must be imbibed to ensure a legislature that is united in purpose.

Adherence to the provisions of extant laws: The constitution of any country remains the guidebook for such a country. The constitution is roundly known as a set of fundamental ideas or precedents that a state or other institution is said to be governed by. Since this is true, the elected representatives must strive to uphold the provisions of the constitution. National Assembly members who, by constitutional design, are bestowed the legislating powers of the federation, must act in ways that they would not be seen as lawbreakers. Although no extant law was violated in the inauguration of the 8th Senate, situations, where Senators-elect would prefer a party function to a constitutionally prescribed one, should be discouraged in future. On this note, the study expects that going forward, the National Assembly should conduct the election of its leadership in a manner that would not expose it to external influences such as allowing political party functions to interfere in the election of its leaders. This expectation is positive and thus, would entrench the constitutional precept of an independent legislature.

5.3. Conclusion

Leadership Recruitment is at the core of effective legislative leadership. Although legislative leadership is reactive and fluid, it is necessary to ensure the independence of the legislative house according to constitutional dictates. As observed by the Clerk of the National Assembly-Alhaji Salisu Maikasuwa, the quest to asserting the independence of the legislature was responsible for the removal of legislative leaders in the Fourth Republic. Alhaji Salisu Maikasuwa listed, for instance, the cases of the removal of Honourable Patricia Etteh, Senator Adolphus Wabara, among others as incidences of the National Assembly's attempt to ensure its independence in the course of the emergence of its leaders. Over the years, the recruitment of legislative leaders conforms with Little's (2016) espouse of the institutional, electoral, and personal environmental factors that shape leadership recruitment.

Findings showed that there was indeed no violation of extant laws. This was confirmed by Alhaji Salisu Maikasuwa who observed that the essence of the roll call on the day of inauguration was to ascertain a quorum. This, he argued, was satisfactory and the inauguration was conducted in line with the President's Proclamation. Other respondents such as Dr. Clement Nwankwo, Mr. Auwal Rafsanjani confirmed the adherence to the one-third (1/3) quorum requirement stipulated in the Constitution as well as the Senate Standing Order 2015 (as amended). However, Mr. Gyang Francis Dalyop, Mr. Ugonna Ezike, Barristers Garba Ibrahim and Ebere Ifendu, Alhaji Muhammed Diwal agreed that there were interferences in the recruitment of the 8th Senate Leadership. Apart from Barrister Garba Ibrahim who continued making case for party supremacy, successive respondents believed in the preservation of the Independence of the Senate and, by extension, the National Assembly because Nigeria's system of government is built on the Principle of the Separation of Powers.

Based on the theories upon which the study was conceptualized, the Senators interviewed, as well as other respondents, agreed that truly, the 8th Senate viz-a-viz the National Assembly asserted its independence, and carried out its legislative mandate within reasonable bounds. This study has shown clearly that personal, institutional, and electoral environments influenced the recruitment of the 8th Senate leadership in the area of Individual Ambition propelling Senator Bukola Saraki to vie for the position of President of the Senate, the All Progressives Congress (APC) thwarting the ambition of Senator Saraki's major contender-Ahmad Lawan by inviting Senators to the International Conference Centre (ICC) , and the observance of extant laws in the Conduct of the Election, respectively. As a result, the recommendations put forward must be implemented to mitigate the effects of such factors on the recruitment of legislative leaders and assert the independence of the legislature in the future.

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ANNEXURES

Appendix A: Request for Research Information

Appendix B : Interview Guide and Wriiten Responses

Appendix C : Proclamation Letter

Appendix D : CD Roms containing Oral Interviews (Parts 1, 2 and 3)

Appendix E :Pictures of the Senate President being administered the Oath of Office by
the Clerk of the National Assembly and ditto the Speaker of the House of
Representatives (June 09, 2015)