THE ROLE OF THE LEGISLATURE IN MODERN DEMOCRACY: EFFECTIVENESS AND CHALLENGES OF THE 8TH SENATE IN THE NIGERIAN NATIONAL ASSEMBLY, 2015 – 2019.

 \mathbf{BY}

GLORIA KASARACHI ONYEKAKIE PG/NLS/1900063

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FOR THE AWARD OF MASTERS DEGREE IN PARLIAMENTARY

ADMINISTRATION (MPD)

DECLARATION

I hereby declare that this project work titled "The role of the legislature in modern democracy: Effectiveness and challenges of the 8 th Senate in the Nigerian National Assembly, 2015 – 2019". Presented in partial fulfillment of the requirements for the award of Masters Degree in
Parliamentary Administration (MPD) is my original work under the supervision of Dr. Kabir
Ahmed. And it has not been submitted for any other previous degree or professional
qualification.

Date

Gloria Kasarachi(Kc.) Onyekakie

CERTIFICATION

This is to certify that this project work titled "The role of the legislature in modern democracy: Effectiveness and challenges of the 8th Senate in the Nigerian National Assembly, 2015 – 2019" has been read and approved by the following undersigned having meeting the requirements for the awards of Masters Degree in Parliamentary Administration, National Institute for Legislative and Democratic Studies/University of Benin (NILDS/UNIBEN). Dr. Kabir Ahmed Date Supervisor Dr. Abiola Asimiyu Date Coordinator Postgraduate Studies/Chief Examiner Dr. Maimuna Izah Date Internal Examiner Prof.M.O.Okotoni Date

External Examiner

DEDICATION

This project work is dedicated to the Almighty God, the Trinity Father, the Father, the Son and the Holy Spirit, for giving me the grace, protection, guidance, wisdom, knowledge and saw me through the duration of my course and the successful completion of this academic programme.

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ABSTRACT

This research work was designed to examine "The role of the legislature in modern democracy: effectiveness and challenges of the 8th Senate in the Nigerian National Assembly. The objectives of the study include; to evaluate the role of the legislature in modern democracy and to examine the effectiveness and challenges of the 8th Senate in the Nigerian National Assembly.

The study adopts the principal-Agent theory and uses survey design method for data collection. Data was sourced from both primary and secondary sources. The data collected was presented in tabular form and analyzed in accordance with the responses from the questionnaires administered.

The finding revealed that, the 8th Senate legislature in the Nigerian National Assembly plays a vital role in modern democracy through law-making, representation, oversight and many others. And their roles and functions actually contributed in the development of modern democracy in Nigeria but would have done more if not for the challenges they encountered while discharging their duties.

The study concluded and recommended that, despite the total number of bills passed and other positive roles carried out by the 8th Senate in the Nigerian National Assembly, it did not in any way bring transformative changes that will address citizens because there is still unemployment on the side of the electorate (citizens) and the modern democracy in Nigeria today is a mere theory due to insecurity, banditry, kidnapping and terrorism. And

there should be constitutional amendment that will bring about zoning of leadership in various positions to reflect in the Upper Chamber (Senate) because it was the election that brought the Senate President and his Deputy Senate President caused the genesis of the challenges the 8th Senate encountered in the Nigerian National Assembly.

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CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The Constitution of the Federal Republic of Nigeria, 1999 as amended spells out the powers of the legislature to exercise the legislative powers it derives from the people and the limitations placed on it. Section 4(1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) vests the legislative power on the National Assembly. As the fulcrum of democracy, the legislature has effectively been the principal institutional mechanism for the expression and expansion of modern democracy.

Modern democracies are usually built on the principle of separation of powers and characterized by shared decision-making between the Legislature, Executive and Judicial branches of government, National Democratic Institute for International Affairs NDI, 2000). According to Heywood, A. (2003), the legislature of any democratic nation occupies a central position in the machinery of government. The legislature is responsible for making laws to guide the government on how to rule and check the conduct of day to day operations in the Country. Traditionally, the legislature is vested with formal lawmaking powers, giving it some capacity to shape or influence public policy. Aside from this traditional role, the legislature performs oversight functions through which the government is held accountable to the electorate. The oversight functions are vested in the legislature as a fundamental principle of the separation of powers and on account of legislature being a body of the people's representatives. These oversight functions are performed within the framework of the Committee system assumes great

importance since legislature in its corporate nature cannot have complete oversight over government and all its activities.

In modern democracy like Nigeria, Legislators are mostly commonly popularly elected, although indirect election and appointment by the Executive are also used, particularly for bicameral legislatures featuring in the Upper Chamber. The Nigerian legislature is bicameral. Through legislature, the citizens of our nation Nigeria express their wishes. The powers of the legislature include passing laws, confirming executive appointment, ratifying treaties, investigating the Executive arm, impeaching and removing from office members of the Executive and Judiciary and redressing constituents' grievances (Agena & Oketa, 2002).

The legislature, one of the three arms of government, in a modern democracy, makes laws for the Country like Nigeria. The primary role of the legislature is to make laws. The legislature has been identified as the strongest predictor on the survival of every democratic development (Okoosi-Simbine, 2010). The legislature serves as essential constituent for any democratic government and major factor in its sustenance. Its existence predates the advent of modern democracy. It has been noted that the emergence of the legislature date back to the 12th century and a product of Medieval European Civilization transformed in the age of democracy to suit the needs of contemporary political system (Loewenberg, P. 1995). The common feature of Legislators is that the relationship among members is not that of authority and subordination but that of equality of members since they derive their authority from being representatives of the people (Saliu and Muhammad, 2010; Ewuim et al, 2014).

Legislatures are set up to represent the people and play central roles in the modern democracy. A democracy depends on Legislators for its vitality. According to former President of Israeli Supreme Court Justice Prof. Aharon Barak (2006), "The foundation of democracy is a legislature elected freely and periodically by the people. Legislatures serve as "The key political forum through which people's concerns are voiced and interests are mediated". The life of the legislature in all its aspects is an attempt to express and fulfill the wishes of the people. Collectively, legislatures act as a check on the Executive through oversight responsibilities and confirmation of powers over certain nominees for appointees and Judicial Office. The legislature is uniquely and powerfully situated to frame the nation's policies and to ensure that the government is open, transparent, and accountable. However, according to Anyaegabunam, E. (2000), the remarkable influential roles of the legislature is making, revising, amending and repealing laws for the advancement and well being of the citizenry that it represents, this is expressed in section 4 of the 1999 Constitution of the Federal Republic of Nigeria. The section empowers the legislature to formulate laws and express the people's will through legislation.

The 8th Senate in the Nigerian National Assembly led many unprecedented initiatives that will change the face of lawmaking in Nigeria into the future. Great progress was recorded in the process of legislation, oversight, representation and advocacy. Two hundred and eighty five (285) bills were passed in 47months and two hundred and ninety three (293) bills were also passed at the end of their tenure more than double the achievements of any Senate before it. Because they worked diligently to meet the aspirations of Nigerians through the bills, for instance, economic bills passed create more opportunities for private sector participation in our economy; made in Nigeria amendment bill create a myriad of opportunities for Nigerian owned

businesses by ensuring that the get first – option priority in the government's procurement process and the anti-corruption bill strengthen our nation's capacity to fight graft and curb corruption in Nigeria. A staggering 192 petitions were also cleared within the same period. The record of their achievements stands as a testament of history and legacy for the legislature in Nigeria modern democracy (8th Senate President). For efficient discharge of legislative duties, the National Assembly 8th Senate members are appointed into several committees based on personal interest and professional competence.

The role of the legislature by the 8th Nigerian National Assembly is effective and vital in a modern democracy. It is a yardstick for measuring the views of people in a democracy; it is the watchdog of public funds in that it scrutinizes the annual budget and creates the consolidated revenue and contingency funds. Again the legislatures examine and pass the annual Appropriation bill, it authorizes expenditure for the Consolidated Revenue Fund and they direct investigation based on their Constitutional power (1999 Constitution of the Federal Republic).

In Nigeria, the National Assembly represents the legislature. The National Assembly is a bicameral established under Section 4 of the Nigerian Constitution of the Federal Republic of Nigeria. It consists of Senate with 109 members and a 360 member in the House of Representative. The Senate is the Upper Chamber in the National Assembly. The 8th Senate in the Nigeria National Assembly also encountered challenges despite their role effectiveness. The 8th Senate of the Federal Republic of Nigeria (2015 – 2019) was determined to use its legislative powers and authority to deliver on expectations of government, Senate's role in the legislative process and fulfill its responsibilities of lawmaking, oversight and representative.

1.2 Statement of the problem

According to Premium Times Nigeria newspaper published 2016, 2017 and 2018, the Legislators of the 8th Senate have failed in various categories such as low budget transparency, delay in budget passage, budget padding scandals, skewed allocation, inadequate checks and balances and unsatisfactory plan on education. More so are the divisions in the Senate over reordering of sequence of 2019 general elections, suspension of Senator Omo–Agege and his misunderstanding with the Senate leadership, mace snatching saga, Police unslaught against Senate President Bukola Saraki, DSS Seige on National Assembly and Legislators' vigil, inadequate policy to resolve security problem.

According to Adeolu, (2008) in his view, legislators in modern democracy of Nigeria are supposed to represent and fight for the people, have become the major part of the problem. The challenge remains in the role of the legislature to adequately checks and examine the executive through their constitutional power to investigate (oversight) and to make and change the laws capable of bringing effectiveness in the Nigerian National Assembly. There is need to identify how well and how far the 8th Senate legislatures have effectively performed their roles and to ascertain the impending problems affecting their performances in the Nigerian National Assembly. Despite that, there seems to be a setbacks, the legislature has greater roles at ensuring effectiveness if being carried out effectively. These concerns and constitute the main reasons which this study intends to investigate on the role of the legislature in modern democracy with specific focus of the 8th Senate in the Nigerian National Assembly from 2015 to 2019.

1.3 Objective of the Study

The Objective of the study is to analyze and examine the role of the legislature in modern democracy: effectiveness and challenges of the 8th Senate in the Nigerian National Assembly.

The following are the specific objectives of this study:

- i. Evaluate the role of the legislature in a modern democracy
- ii. Identify the effectiveness derived from the role of the 8th Senate legislature in the Nigerian National Assembly from 2015 to 2019.
- iii. Ascertain whether there were challenges hampering the constitutional role functions carried out by the 8th Senate of the Nigerian National Assembly.
- iv. Suggest possible ways to improve the performance of the 8th Senate legislature in the National Assembly in discharging their legislative role in the modern democracy of Nigeria so that subsequent Senators may learn from the commissions and omissions.

1.4 Research Questions

Based on the above research problem the following research questions become necessary:

- i. Are the roles performed by the legislatures in modern democracy, constitutional functions?
- ii. What extent the 8th Senate legislature in the Nigerian National Assembly roles especially, budget passage and checks and balances be classified?
- iii. What is the total number of male and female members of the 8th Senate legislature in the Nigerian National Assembly?

- iv. Do the 293 bills passed by the 8th Senate under the Leadership of Dr. Abubakar Bukola Saraki as President of the Senate, address many issues affecting ordinary Nigerians especially unemployment and insecurity?
- v. Is there role effectiveness by the legislature of the 8th Senate Nigerian National Assembly?
- vi. What are the challenges encountered by the 8th Senate Nigerian National Assembly in discharging their legislative roles?

1.5 Scope and Limitations of the Study

The research focused on the role of the legislature in modern democracy: effectiveness and challenges of the 8th Senate in the Nigerian National Assembly. The study narrows its scope to the area of the role of legislature in modern democracy and used the 8th Senate Nigerian National Assembly as a unit of analysis.

The limitation of this study revolves around certain inevitable variables which include: the time factor, finance issue, difficulties encountered in getting information from the respondents, co – operation, non – availability of some of the Senators in their offices to carry out face – to – face interview and lack of access from classified or restricted materials.

These limitations affect the outcome of the research work through the following:

 Time: Limitation of time was encountered because of the process of gathering accurate and up to date information.

- ii. Finance: The researcher also faced some financial constraints on transportation because the process of researching requires going from one place to another in search of materials.
- iii. Co operation: The role of the legislature by the 8th Senate Nigerian National Assembly involves meeting the officials of the 8th Senate in their offices, who were opportune to return to the 9th Senate and carry out face –to- face interview. In fact meeting the Senate or the Principal Officers of the Senate at regular interval is always difficult.
- iv. Classified Materials: There is always lack of access getting information from restricted materials in the Senate Archive.

1.6 Significance of the Study

The research will be of immense practical value to the electorate and politicians aspiring to run for Senate and House of Representative in the Nigerian National Assembly. The study will be significant to some National Assembly Agencies like National Institute for Legislative and Democratic Studies (NILDS) and National Assembly Service Commission (NASC). The study will be useful to scholars, historians and anyone that seeks to gain a better understanding of the Upper Chamber of the National Assembly of Nigeria in modern democracy. The study will also serve as contribution to measure roles effectiveness and challenges of the 8th Senate in the Nigerian National Assembly in the modern democracy.

1.7 Definition of Terms

Legislature: Legislature according to (Scruton 1982) is that part of government which exerts legislative power, that is, which is concerned with making and changing the laws.

The legislature also checks the activities carried out by other organs (arms) of government through its oversight functions and can be checked as well by others such as the executive and the judiciary. Legislature refers to the arm of government consisting of elected assembly of people whose role is to make, review and repeal laws for the good and well – being of the society as well as serves as a watchdog on the activities of other arms of government.

Democracy: Democracy according to Abraham Lincoln 1863 democracy is "government of the people, by the people, for the people". Democracy is defined as a system under which the people periodically exercise the supreme authority over the choice of leadership and policy choices through a popular and periodically determined electoral process.

Modern Democracy: Modern democracy is referred as the broad reverse of conventional democracies. Modern democracy dictates the presence of a Constitution, impartiality as defined by the rule of law, personal rights and freedoms, human rights and liberties, Civil liberties, and the rule of law to guarantee the implementation of those rights and freedom. Modern democracy is the presence of democratic procedures external of the government, for instance, free and independent elections and far – reaching participation in Labor Union.

Nigerian Senate: Based on Section 47 and 48 of the 1999 Constitution of the Federal Republic of Nigeria, the Nigerian Senate is the Upper Chamber of the Bicameral Parliament of the National Assembly. They perform the functions of law making, representation and oversight.

Lawmakers elected into the Senate are expected to serve for a term of four years as provided in the Constitution. The Senate consists of 109 Senators and they are elected from single member district. Senatorial seats ensure equality among states as 3 Senators are elected from every State, with 36 states in total, while one Senator is elected to represent the Federal Capital Territory (FCT) of Abuja. The Senate is headed by the President of the Senate.

8th **Senate:** The 8th Senate refers to a period in Nigeria's history when National Assembly was inaugurated the 8th time Senate. The 8th Senate of the Federal Republic of Nigeria can be said to have been set by the outcome of the 2015 General Elections and was inaugurated on Tuesday, 9th June, 2015 to Saturday, June 8, 2019.

National Assembly: The National Assembly of the Federal Republic of Nigeria is a Bicameral legislature established under section 4 of the Nigerian Constitution. It consists of a Senate with 109 members and a 360- member House of Representatives. The National Assembly as an organ of the Nigerian Federal government is based in the Federal Capital Territory (FCT), Abuja.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter presents review of related literature relevant to the study of the roles of the legislature in modern democracy by the 8th Senate in the Nigerian National Assembly and theoretical framework adopted for the study.

2.1 Conceptual Review

2.1.1 Concept of Legislature

The legislature in Nigeria is a distinct arm of government which comprises elected representatives and derives its creation, existence, authority, powers, duties and legitimacy from section 4 of the 1999 Constitution of the Federal Republic of Nigeria. Its creation is to ensure a balance in the structure of government which is routed on the principle of separation of powers. Oyediran (2003), in his review of legislature In Nigeria, the legislature is the third arm among the three-arm system of government; the other two are the Executive and the Judiciary. The legislature is Bi-cameral, that is it has two chambers, the Senate and House of Representatives in that order. The legislature is made up of individual members, known as legislators, who vote on proposed laws. They usually contain a fixed number of legislators because legislatures usually meet in a specific room filled with seats for the legislators, this often described as the number of "seats" it contains.

In any modern democracy today, the legislature evokes the idea of representative democracy more than any other branch of government. Thus democracy can only be sustained when legislators have the will; ability and information to make decision that reflect the interests and

needs of society. Similarly, the governed must have the will, ability and information to transmit their needs and interests to their legislators, to evaluate the performance of the legislatures (Stuart M.1861). Legislature is an institution with some common characteristic in the geographical setting of modern democracy. "They are usually accorded pride of place, being recognized and respected because they are composed of lay politicians who claim to represent the people rather than trained government officials (Andrew Heywood, 2003),

Types of Staff in the Legislature:

- 1. The Bureaucrats/Career staff and
- 2. Legislative Aides/Political staff

The Bureaucrats/Career Staff

Legislature requires the support of requisite staff to deliver on its mandate. Section 51 of the 1999 Constitution of the Federal Republic of Nigeria gives expression to the existence of the office of the Clerk and other staff of the National Assembly.

The Clerk to the National Assembly (CNA): The Clerk of the National Assembly is the number one bureaucrat, the Chief Administrative Head and Accounting Officer of the National Assembly, assisted by the Deputy Clerk (DCNA) who acts in the absence of the Clerk (CAN). He carries out general supervision of all clerical duties pertaining to the business of the National Assembly.

The Clerk of Senate: The Clerk of Senate is the principal adviser to all the Senators on matters relating to the procedures of the Senate.

Clerks of Committees: The Clerk of a Committee is the adviser to the Chairman and all the members of the committee and also acts as the administrative officer. He initiates public hearings.

The bureaucrats are permanent and pensionable staff who serves as the institutional memory of the legislature. Their appointments and career are governed by Civil Service Rules and regulations. Specifically, their tenure of office is never affected by changes in any political administration. They provide legislative/administrative and professional support services required by the Legislators to discharge their duties effectively. They provide enabling environment for the Legislatures such as security provided by the Sergeant –at arms Department.

The functions of the Career staff in the Nigeria Legislature

- Provide advisory services to the presiding officers;
- Draft legislations, motions and resolutions;
- Keep record of proceedings in the Chambers; Nurse bills through the legislative process until they are passed into laws and assented to by the President;
- Provide administrative services to Committees;
- Budget officers carry out Budget analysis during appropriation exercises;
- Researchers provide adequate, objective, timely and up-to-date information for informed decision making;
- They provide requisite and conducive environment for legislators to operate;
- Planning officers carry out monitoring and evaluation of government programmes to determine their impact on the people;

Legislative Aides/Political Staff

Legislative Aides/Political staff are the political aides appointed by each legislator to render needed assistance and support which enable them deliver on their mandated, especially liaison with the various Constituencies and Senatorial Districts. Appointment of the aides is at the pleasure of the Legislators. In the National Assembly, the letter of appointment issued by the National Assembly Service Commission to a Legislative Aide appointed clearly states, among other conditions, that: "Your appointment is at the pleasure of (name of Legislature) and subject to all other conditions applicable in the public service".(Legislative Aide orientation paper).

Functions of Political Staff to the Legislature

Smith (1988) has summarized the role of political staff as:

"They draft legislation, negotiate with lobbyists, staff exercise control over communication within and outside the legislature, they participate in identifying issues and develop legislative positions. They conduct research; gather background information and draft legislation. They prepare speeches; floor statements and explanations to constituents. They coordinate legislative strategy, brief the legislators on pending legislation and at times they are expected to make some suggestions as to the course of action to be taken".

Institutional Supports to the Legislature:

There are other offices that provide institutional supports to the legislature in the National Assembly, they are:

- 1. The National Assembly Service Commission and
- 2. The National Institute for Legislative and Democratic Studies

The National Assembly Service Commission (NASC)

According to National Assembly Service Commission (NASC) Act 2014, the NASC provides support in terms of Appointment, Promotions, Discipline and other Human Resource Services to the National Assembly. The Act also empowers the National Assembly Service Commission to handle establishment matters of the National Assembly without resorting to the Federal Civil Service Commission on any matter relating to its functions.

The National Institute for Legislative and Democratic Studies (NILDS)

The National Institute for Legislative and Democratic Studies (NILDS) was established by an Act of the National Assembly in 2011 as National Institute for Legislative Studies, it was expanded in 2017 to include Democratic Studies via an amendment to the Act. NILDS is an academic and research Institution that supports the sustenance of dynamic and effective Legislature in Nigeria at Federal, State and Local level.

2.1.2 Evolution of Legislature in Nigeria

According to Adebo (1988), the development of the legislature in Nigeria can be traced to 1861 when the Colonial government officially occupied Lagos. As a means of governing the Colony of Lagos, the Colonial Governor established a legislative Council to oversee the affairs of the Colony of Lagos in 1862 with only two Nigerians as members. The legislative Council did not have any legislative power and performed no legislative functions but served as an advisory body to the colonial government.

Legislative activities in Nigeria predated its independence because it existed in one form or the other before independence. However it became pronounced with effect from 1914. Upon amalgamation of the Northern and Southern Protectorate in 1914, the number of members of the legislative Council increased to thirty six (36) of who were Nigerians (Flint, 1960). This means a new legislative body called the Nigerian council comprising thirty six members who were randomly selected and handpicked by the colonial government to represent, business and other interests. A major constitutional development of the legislature occurred in 1922 when the Clifford Constitution introduced an elective principle and there was an election of the four Nigerian members into a forty-six member council. This elective principle was carried on to the subsequent Richard's and Macpherson's constitutions and each tried to increase the number of Nigerians in the Legislative Council (Crowder, 1968).

In 1960 Nigeria became independent and adopted the Westminster Parliamentary system of government. During the first Republic, Nigeria had a bicameral legislature or legislative system consisting of the House of Representative and the Senate. The 312- members of the House of Representative were elected while the 44 members of Senate were selected from various components of the Federal system (Adebo, 1988). The Federation retained her Bicameral Model, which was renamed as the National Assembly. It is evident from the above that, Nigerian legislature started off as an appendage of the Executive arm of government.

2.1.3 Types of Legislature

Heywood 2003, in his review of modern legislature is either Bicameral or Unicameral. Bicameralism means a legislature with two houses /chambers while Unicameralism means a

legislature with a single house/chamber. Though, several states, mostly the small states and provinces of the federal system, have unicameral legislatures. Nigeria National Assembly have Bicameral legislature comprises of two chambers, the upper chamber (Senate) and the lower chamber (House of Representatives).

Advantages of Bicameralism

According to Innocent (2011), advantages of bicameralism are:

- Bicameral legislature makes it possible for laws to be made in the Country since bills are somewhat properly debated in bicameral legislature.
- Bicameral legislatures are more effective in checking the power of the executive.
- Two Chamber legislatures widen the basis of representation in different societies, allowing each house to articulate a different range of interests and respond to different groups of voters.
- Bicameral legislature makes room for equal and adequate representation of the people in the federal system.
- The existence of second chamber can ensure that legislation is more thoroughly scrutinized, as it gives room for discussion and public debate thereby relieving the legislative burden arising from mistakes and oversights.

According to Johnson (2005), there are essentially two ideal types of Legislature; the Arena and Transformative legislatures.

 Arena legislatures primarily focus on discussion and debate. This is best exemplified by the British House of Commons. In other words, this Chamber or an arena of debate. The tasks of an arena legislature are to debate, inform the public and publicly present preferences to the executive.

• Transformative legislature focuses on the manipulation or formation of legislative proposals, the content and goals of legislation are heavenly informed by the preference of the legislature. The tasks of a transformative legislature are to create, amend and adopt legislation that may originate from the legislature or the executive.

Polsby (1975)notes, the two types of legislature are fundamentally different in terms of what drives them and what controls their activity. As a result, someone studying an arena legislature would focus on different aspects of the legislative and political system than someone studying a transformative legislature. He observed that, arena legislature are controlled externally, generally by the national political party organizations, while transformative legislatures are controlled from within through the committee

2.1.4 Roles/Functions of the Legislature in Modern Democracy

The role of the legislature in a modern democracy varies. They perform a complex set of functions. Heywood (2003:316) identified the following as the principal functions of legislature: representation, legislation, scrutiny, and oversight, political recruitment and leadership development. Other scholars include conflict resolution and quasi-judicial and administrative functions among the role of legislatures. The conflict function involves compromises among interest groups, conflict regulation and furtherance of national unity. In the case of political recruitment and leadership development, legislatures have overtime often served as major channels of recruitment, providing a pool of talent from which leading decision-makers emerge.

In the performance of quasi-judicial and administrative functions, legislatures discipline and punish members of parliament, suspend members of the executive and ratify executive actions.

Heywood (2003) also reviews the functions of the legislature as follows:

- Legislatures investigate the executive branch, impeach and remove from office members of the executive and judiciary.
- Establishing the government's budget.
- Confirming executive appointment.
- Legislatures pass laws.
- Legislatures develop bills-drafts of laws that they want their fellow legislators to approve.
- They draft or approve policies, regulate budget, and programs.
- Legislatures debate and analyze the impact of proposed laws.
- They vote on bills and on motions to enact them into law.
- Invite and listen to testimony from people who are concerned about an issue or likely to be affected by a law if it is passed.
- Seek funding for projects and programs in their district.
- Legislatures appoint nominees to leadership posts or approve appointments by the chief executive.
- Collaborate and negotiate with other legislators to resolve differences and reach agreements.

Many scholars like Okoosi-Simbine (2005), Heywood (2003), Esebagbon (2005), Enderson (1997) and Innocent (2011) in their review identify the three major primary functions of the legislature as representation, representation and oversight and they are as follows:

- Making laws pertaining to issues affecting public interest;
- Representing the opinions and interest of Citizens and the Nations as a whole
- Overseeing government Ministries, Departments and Agencies.

Legislation or law-making function of the Legislature:

The first and foremost function of a legislature is to legislate. I.e. to make laws. In ancient times, laws used to be either derived from customs, traditions and religious scriptures, or were issued by the kings as their commands. However, in the contemporary era of modern democracy, legislature is the chief source of law and law-making is regarded as one of the most significant tasks of legislature. It is the legislature which formulates the will of the state into laws and gives it a legal character. Legislature transforms the demands of the people into authoritative laws. Legislatures draft laws that they want their fellow legislators approve and they vote on bills and enact them into laws. This function is often seen as the key role of legislatures and indeed the most challenging role. (Esebagbon, 2005).

The law making process is also known as the bill process

Esebagbon (2005) reviewed that, in modern democracy and Presidential system of government, the process of law making generally requires a long period of deliberation and consideration of many interests and implications of a bill. A bill generally passes through four stages, which

include three readings before it is passed into law. But there are certain procedures where this does not followed.

A bill is simply defined as a draft of a proposed law. The various stages a bill passes through to become a law is as follows:

- Presentation and first reading;
- Second reading;
- Committee stage;
- Third Reading and Passage; and then,
- Assent (President's Signature)

Representative function of the Legislature:

According to Esebagbon and Okoosi-Simbine (2005), reviews, effective legislatures connect people to their government by giving them a place where their needs can be articulated. The legislatures represent by supporting issues that will bring benefits to their constituencies. The legislature listens to and addresses the concerns of the people they represent. They also seek funding for projects and programs in their Constituencies. Through representation, the legislature gives a voice to every constituency to contribute to development of modern democracy. The legislature can also enhance the citizens' participation in the budget process using its representation function and constituency office as a vehicle.

Oversights function of the Legislature:

According to Enderson (1997), oversight is an integral part of almost everything that a legislature does. And if this function is assessed closely with legislation and appropriation, the role of the legislature in modern democratic government can be likened to a moving cable that runs the tracks of a bridge across both ends.

In Nigeria, the 1999 Constitution clearly spells out the oversight functions of the legislature. The 1999 Constitution, section 88, provides as follows:

- "(1) Subject to the provisions of this constitution, each house of the National Assembly shall have power by resolution published in its journal or in the official gazette of the government of the federation to direct or cause to be directed an investigation into:
 - a) Any matter or thing with respect to which it has power to make laws; and
 - b) The conduct of affairs of any person, authority, ministry or government department charged with the duty or responsibility for;
 - i) Executing and administering laws enacted by the National Assembly.
 - Disbursing or administering cash appropriated or to be appropriated by the National Assembly."
- "(2) the powers conferred on the National Assembly under the provisions of this section are exercisable only for the purpose of enabling it to:
 - a) Make laws with respect to any matter within its legislative competence and correct any defect in existing laws; and

b) Expose corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it."

The Appropriation Act on which the oversight functions are primarily based, are laws within the competence of the National Assembly following section 88(2) (a) of the 1999 Constitution. The oversight functions in that section are aimed at exposing corruption, inefficiency, and waste not only in the administration of the appropriation Act generally, but in the disbursement or administration of funds appropriated by the Act. Accordingly, the section also allows the oversight functions to cover the implementation of any current Appropriation Act identifying any defects made to some projects for the purposes of correcting same in the next Appropriation Act. With this Constitutional power bestowed on the legislature, they are vested with notable roles in oversight activities and they perform them in the context of the Committee system.

According to Esabogbon (2005), the legislature through its Committee system undertakes a cross- checking of other arms of government to ensure that their operations strictly adhere to rules as legislated, projects of government are duly funded as appropriated, also whether they are thoroughly implemented as earlier proposed which is commonly referred to as legislative oversight. Among the oversight tools employed in Nigeria modern democracy are questioning and interactions, visits and inspection.

Quasi-judicial function of the Legislature:

The Legislators carry out quasi-judicial functions by mediating in and settling disputes between Ministries, Departments and Agencies under their jurisdiction and the citizens.

They also summon subpoenas on persons and authorities to appear before it to give testimony or account or to produce a document. According to Innocent (2011), other functions are:

1. Control of National Finances:

The legislature of any modern democratic state is the controls national finance. It holds the purse of the nation and controls the finances. No money can be raised or spent by the Executive without the approval of the legislature. Each year the executive has to prepare and get passed from the legislature the budget for the coming financial year. In the budget, the executive has to place the account of the actual income and expenditure of the previous year and estimated income and expenditure for the New Year. Legislature does not only pass the budget but also it alone can approve the imposition, or repeal or collection of any tax. They also maintain control over all financial transactions and expenditures incurred by the executive

2. Deliberative Functions:

Legislatures deliberate upon matters of importance, public issues, problems and needs is an important function of a modern legislature. Legislatures reflect the public opinion over various issues. The debates held in the Legislature have a great educative value for the people.

3. Control over the Executive:

In modern democracy like that of Nigeria, a modern legislature has the power to exercise control over the executive. The legislature has the power to remove the executive by passing a vote of no confidence or by rejecting a policy or a budget or law of the executive. The legislature exercises some checks over the executive. It can appoint investigation committees to probe the functioning of government departments.

4. Constituent Functions:

Legislatures in modern democracy have the power to amend the Constitution. For this purpose, the legislature has to pass special laws, called amendments, in accordance with the procedure laid down in the Constitution.

5. Ventilation of Grievances:

Legislatures act as the highest forum for ventilation of grievances against the Executive. They act as the national forum for expressing public grievances and public aspirations. Representation is the function of protecting the interest of the constituents or people represented by being their eye, and voice it out for them in governance.

6. Investigative Function:

Section 88(1) and 128(1) of the 1999 Constitution confer on the legislature the power by resolution, to direct or cause to be directed an investigation into-

- (a) Any matter with respect to which it has power to make; and
- (b) The conduct of affairs of any person, authority, Ministry or government department charged, or intended to be charged, with duty of or responsibility for:
 - (i) Executing or administering laws enacted by the National Assembly, and

(ii) Disbursing or administering moneys appropriated or to be appropriated by the National Assembly.

7. Impeachment:

The legislature, under the Constitution of the Federal Republic of Nigeria has the power to remove the President, Vice President, the Governor and Deputy Governor from office for gross misconduct for they act as a court of impeachment.

2.1.5 Powers of the Legislature

Malami (2009), in his review of powers of legislature, Section 89 of the 1999 Constitution empowers the National Assembly to procure all evidence it thinks necessary when examining persons as witnesses. From this express power in section 89; one can deduce an implied power to order the arrest of any person that seeks to impede its investigation. In exercising their powers, legislators are protected by some privileges and immune from certain legal provisions so that they can perform their duties unhindered. The powers as stated in the 1999 Constitution include:

- 1. The power over public funds;
- 2. The power to alter the Constitution;
- 3. The power to ratify treaties; and,
- 4. The power of oversight of the Executive.
- 5. The power to confirm or reject presidential nominees.

Indeed, when examined the power of the legislature to reject presidential nominees one need not be confuse. The power of confirmation or rejection by the Senate does not mean that appointments are the joint responsibility of the Senate and the President. The Senate can only ratify or reject. It cannot appoint. Similarly, the power of impeachment gives the legislature control over the presidential tenure. (Malami, 2009).

2.2 Concept of Democracy

The word "Democracy" is derived from a combination of two Greek words "demo" meaning people, and "Kratia" meaning "rule" or "government". Democracy is a government of the people, who participate in government either directly, or indirectly, or through representatives. Democracy is a representative government. **President Abraham Lincoln** of the United States of America rightly defined democracy as "a government of the people, by the people, for the people". Any true democracy must possess the three ingredients in this definition. To be true democracy, the government must be:

- 1. A government made up of the generality or representatives of the people;
- 2. A government formed and installed by the people; and
- 3. A government that exists for the welfare of the people as provided in Section 14(2)(b) of the 1999 Constitution of the Federal Republic of Nigeria.

2.2.1 Concept of Modern Democracy

According to Egwu (2005), modern democracy is a form of government in which power is held by the people or exercised on their behalf by elected representative. In Nigerian modern democracy, the executive branch include the President and his cabinet, along with Judicial and Legislative branch, the three branches of government work to keep checks and balances but the President has the final say. One of the claims that earns democracy the reputation of the best

system of government in modern democracy is that it makes government serve the interests of the people

In Nigeria, modern democracy, the Constitution provides equal powers of the Senate with the House of Representatives in ordinary legislation. By custom, the Senate has the privilege to amend and reject money bills. The Senate has the Exclusive right to sign treaties, conduct screening and ratification of nominees' necessary for the President appointment.

Modern democracy is distinct from other forms of governments because it is conceptualized to be practiced according to laid down rules and procedures, and one of such manifests in the principle of separation of powers and check and balances. Government is about exercise of power; separation of powers which means allocation of different kinds of governmental powers to different levels, organs, persons or office of government. It was recognized that, the exercise of powers if unchecked leads to corruption and abuse, the adage goes "power corrupts and absolute power corrupts absolutely".

According to Nigerian Tribune June 12, 2021, the late Nigeria business mogul turned politician, Chief Moshood Kashimowo Abiola is the chief architect of the modern democracy which recouches has been enjoying by Nigerian for the past 22 years uninterrupted. The late adjudged winner of the annulled June 12 1993 presidential election was also eulogized for his immense contributions to democracy in Nigeria because during his lifetime, he empowered an impacted positively on the lives of many Nigerians. The eulogy was made by Bauchi State Governor, Sen. Bala Mohammed Abdulkadir as Nigerians marked the 2021 June 12 Democracy day.

Characteristic of modern democracy

- 1. Elected representatives
- 2. Civil liberties
- 3. Independent judiciary
- 4. Organized opposition party
- 5. Separation of Power
- 6. Rule of law

2.3 Concept of Nigerian National Assembly

The National Assembly of Nigeria (NASS) according to Innocent (2011), is the democratically elected body that represents the interests of the Federal Republic of Nigeria and its people, makes laws for Nigeria and holds the government of Nigeria to account.

In Nigeria, Section 4 of the 1999 Constitution of the Federal Republic of Nigeria provides, "The legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly of the Federation which shall consists of the Senate and House of Representatives. And the National Assembly shall have power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in part 1 of the Second Schedule to the Constitution".

The National Assembly consists of political and administrative structures that have been put in place to enable it achieve it legislative mandate. The political composition is derived from section 47 to 51 of the 1999 Constitution and from provisions in Rules and Standing Orders of

the Houses. And the administrative structure, also known as its "bureaucracy" is headed by the Clerk to the National Assembly who is the chief administrative and accounting officer of the National Assembly. He is assisted by the Deputy Clerk of the National Assembly.

2.4 Concept of the 8th Senate in the Nigerian National Assembly

Odewale (2019), reviewed that, the Assembly of the Eight Senate of the Federal Republic of Nigeria was inaugurated on Tuesday, 9th June, 2015 to Saturday, June 8, 2019 and open by Clerk to the National Assembly, Alhaji Abubakar Maikasuwa. The 8th Senate can be said to have been set by the outcome of the 2015 general elections in which for the first time in the political history of Nigeria, candidates of an opposition party, the All Progressive Congress (APC), defeated those of the then party in power, the People's Democratic Party (PDP) at both the Presidential and National Assembly elections which brought about simple majority between members of the two parties in the Senate as against overwhelming majority. It was for the PDP Senators from 1999 to 2015, spanning the 4th, 5th, 6th, and 7th Senate or by extension, National Assembly. At the end of election, 60 members were elected on the platform of the All Progressive Congress (APC) and 49 members were elected on the platform of People's Democratic Party (PDP) following the sudden death of Senator Ahmed Zanna elected on the platform of PDP to represent Borno Central. Only eight of the Senators were women. The women elected were Stella Oduah and Uche Ekwunife who both represent Anambra, Monsurat Sunmonu from Oyo, Sen. Fatima Raji Rasaki and Sen. Biodun Olujimi who both represent Ekiti, Sen. Rose Ovo from Cross River, Sen. Oluremi Tinubu from Lagos and Sen. Binta Masi Garba from Adamawa. The Senate President and his Deputy are also assisted by principal officers including the Majority Leader,

Deputy Majority Leader, Minority Leader, Deputy Minority Leader, Chief Whip, Deputy Chief Whip, Minority Whip, and Deputy Minority Whip.

The emergence of the Senator Abubakar Bukola Saraki (then the APC Kwara Central) as the President of the 8th Senate and Deputy Senate President, Ike Ekweremadu as presiding officers of the 8th Senate on the day of inauguration was brought about by divisions within the ranks of the APC Senators-elect then, and block support given to Senator Bukola Saraki's aspiration by the 49 PDP Senators-elect then.

Thus, Senatorial seats ensure equality among states as 3 Senators are elected from every State, with 36 states in total, while one Senator is elected to represent the Federal Capital Territory (FCT) of Abuja. A member of the Senate is referred to as Senator or simply lawmaker. The Senate is headed by the President of the Senate. The Senate President and his Deputy are elected by members. Voting in Senate is done by voice vote. After election, newly elected lawmakers are usually inaugurated to commence proceedings. And members set up their own Standing Orders and there are 63 standing committee in the Senate chaired by committee chairman. Lawmakers elected into the Senate are expected to serve for a term of four years as provided in the Constitution. Thus, at the end of every four years a legislature is dissolved prior to the General Elections for members to re- contest for a seat as they may desire.

According to Odewale (2019), the principle officers of the8th Senate are made up of the following:

Senate President

- Deputy Senate President
- Senate Majority Leader
- Deputy Senate Majority Leader
- Senate Majority Whip
- Deputy Senate Majority Whip
- Senate Minority Leader
- Deputy Senate Minority Leader
- Senate Minority Whip
- Deputy Senate Minority Whip

The President of the Senate is the Presiding Officer in the Senate and Chairman of the National Assembly. He is the principal officer over the Senate legislative affairs. The president presides over the sittings of the Senate and he is the third person in the order of the precedence in the nation, after President and Vice President of the Federal Republic of Nigeria. Section 146(2) of the 1999 Constitution as amended, provides that where any vacancy occurs in the office of the Vice President of the Federation, the President of the Senate shall hold the office of the President of the Federation for the period of not more than three months, during which, there shall be an election.

The Deputy Senate President carries out the functions of the Senate President in his/her absence.

Note that there are other functions conventionally carried out by the Deputy Senate President.

For instance, he/she chairs the Constitution Review Committee of the Senate.

The Majority Leader is the Leader of the House elected by members of the Majority Party.

His/her role includes serving as a spokesperson for the Majority, leading the business of the House, managing the legislative schedule and liaising with various Committee Chairman.

The Chief Whip is elected to maintain the order and decorum of the House and also discipline among members of the Majority Party.

The Majority Leader is elected by members of the Minority Party and his/her role is to represent their interests and maintain discipline among them.

A Deputy Minority Leader is also elected to assist the Minority Leader in the performance of his/her functions.

The Minority Whip is elected from the Minority Party to manage the affairs of his Party. He performs the same functions as the chief Whip for his party members.

The Committee System of the 8th Senate in the Nigerian National Assembly

Sekibo (2014), Anyaegbunam (2000) and Odewale (2019) reviewed that, in Nigeria, the power of the 8th Senate legislature to set up Committee is derived from Section 62 (1) of the 1999 Constitution of the Federal Republic of Nigeria which empowers each House of the National Assembly to set up Committees of its own for both special and general purposes as may be considered expedient. Committee in Nigerian legislature cannot take final decision on any legislative matter; it must report its findings and recommendations to the House that set it up for

approval. Committee of the Senate prepares legislation for action by the chamber, or making investigations as directed by the Chamber.

Special Committee of the Senate

The Senate Standing Order 96provides for the establishment of special committees within the first fourteen days of its first sitting. They are constituted with very specific terms of reference to inquire into or deal with specific issues of major public concern. This is usually referred to as the Machinery Committees of the legislature. The committee examines emerging issues that do not obviously fit within existing Standing Committee jurisdictions or issues that cut across jurisdictional boundaries.

Special Committee is a permanent Committees established by the Rules of the Senate with clear terms of reference to perform specialized functions beyond that of Standing Committees and towards effective law – making. An example is the Committee of Selection, which selects and nominates members of the various Standing Committees.

The Importance of the Special Committee of the Senate

Committees report on bill which helps to set the Senate's agenda. Committees hold hearings to gather information and views from non-committee experts and at the Committee hearings, these witnesses summarize submitted statements and then respond to questions from the Senators. Committee meets to perfect the measure through amendments, and non-committee members sometimes attempt to influence the language and when the language is agreed upon, the

committee sends the measure back to the full Senate, usually along with a written report describing its purpose and provisions (Sekibo, 2014).

Types of Special Committees

- 1. The Committee of Selection: This Committee consists of the President of the Senate, the Deputy President of the Senate. The President is usually the Chairman of the Committee of Selection and, in his absence, his Deputy presides. The Committee perform the functions of nominating members to serve on any ad-hoc or special committee to consider a particular issue brought before the Senate.
- 2. Ethics, Code of Conduct and Public Petitions Committee: The Committee functions in the area of considering public petitions referred to it. It has the responsibility to report to the Senate, from time to time, its opinion and recommendations for determination.
- **3. National Security and intelligence Committee:** This Committee is primarily concerned with public security and matters relating to any Organization or Agency established by law for ensuring the security of the Federation.
- **4. Senate Service Committee:** The function of this Committee is attending to the welfare of members. The composition and membership of the Committee is determined in proportion to the numerical strengths of the political parties in the Senate.
- 5. Rules and business Committee: They performed the function of scheduling the calendars of the business of the Senate and causing them to be printed on the order paper, allocation of time for conduct of legislative business, publishing the Order book and receiving and scheduling amendments to legislations.

6. Public Account Committee: The Committee is empowered to examine any accounts or reports of Statutory Corporations and Boards after the laying of such papers on the table. The Committee has the responsibility to examine the Public Accounts in relation to Ministries, Extra – Ministerial Departments and Parastatals. The examination of their accounts shall show the appropriate sums appropriated by the National Assembly to meet public expenditure of each Ministry, as well as the Auditor- General's report. The Committee reports its findings from time to time.

2.4.1 Functions of the 8th Senate in the Nigerian National Assembly

The 8th Senate of the Federal Republic of Nigeria addresses issues in our nation Nigerian and takes cues from the people themselves by lending a listening ear. They discharge its constitutional duties of lawmaking, representation, oversight approval of certain appointments, and vetting of government spending. (Odewale, 2019).

According to Secretary to the Government of the Federation, Boss Mustapha, during a courtesy visit to the Senate in November, 2017: "The 8th Senate legislature plays a vital role in our modern democracy, by ensuring that funds that are appropriated are used judiciously for the purposes they are meant and for the benefit of the people of Nigeria. And through its lawmaking and amendment of existing laws, the 8th Senate has been able to legislate for good governance, maintain peace and improve the welfare of the people while ensuring check and balances. They supervise, regulate and control the Ministries Department and agencies. They exercise a level of control and interfere in the affairs of the other arms of government in the overall interest of the Country (Agbo, 2012).

According to Hamalai (2010) other functions are:

- 1. **Correction of Defects in laws:** By the provisions of Section 88(2) (a) of the 1999 Constitution, the Senate is empowered to correct any defects in respect of existing laws.
- 2. **Approval of Judicial appointment:** There exist three arms of government to ensure that there is separation of powers and checks and balances. Section 231(1) of the Constitution provides that 'The appointment of a person to the office of chief Justice of Nigeria shall be made by the president on the recommendation of the National Council subject to confirmation of such appointment by the Senate.
- 3. **Approval of deployment of Armed Forces:** Section 5(4b) of the 1999 Constitution stipulates: "except with the approval of the Senate, no member of the armed forces of the Federation shall be deployed on combat duty outside Nigeria.
- 4. **Approval of other Federal Appointment:** The Senate is also empowered to approve and confirm other appointments made by the executive arm. For instance, the appointment of Ministers of the Government of the Federation is subject to confirmation by the Senate because Section 147(2) of the 1999 Constitution provides that "any appointment to the office of Minister of Government of the Federation shall, if the nomination of any person to such office is confirmed by the Senate, be made by the President.' It should be noted that the power of confirmation is that of the Senate alone and not generally of the National Assembly.

The 1999 Constitution also establishes some Federal Executive bodies such as;

- Code of Conduct Bureau;
- Federal Character Commission;

- Federal Civil Service Commission;
- Independent National Electoral Commission;
- National Population Commission;
- Nigerian Police Council;

The chairmen and members of these bodies shall be appointed by the president subject to the confirmation of the Senate. (Section 154(1) of the 1999 Constitution).

funds that will be spent and the manner in which they will be disbursed.

Section 80(3) of the 1999 Constitution provides that 'No moneys shall be withdrawn from any public fund of the Consolidated Revenue Fund of the Federation, unless the issue of those moneys has been authorized by an Act of the National Assembly,' The President shall also present the estimates of revenue expenditure for the next following

year which is usually called the Appropriation bill before the National Assembly for

confirmation and approval (Section 81 of the 1999 Constitution).

5. Control of Public Funds: The Senate is empowered to control the amount of public

6. **Removal of the President or Vice President:** The Senate also play the role of removal of the President and Vice President from office. The procedure for the removal of the President or Vice President is contained in Section 143 of the Constitution. The process start by the notice of allegation in writing that the president is guilty of gross misconduct signed by at least one third of the members of the National Assembly.

2.4.2 Structural Command of the Senate

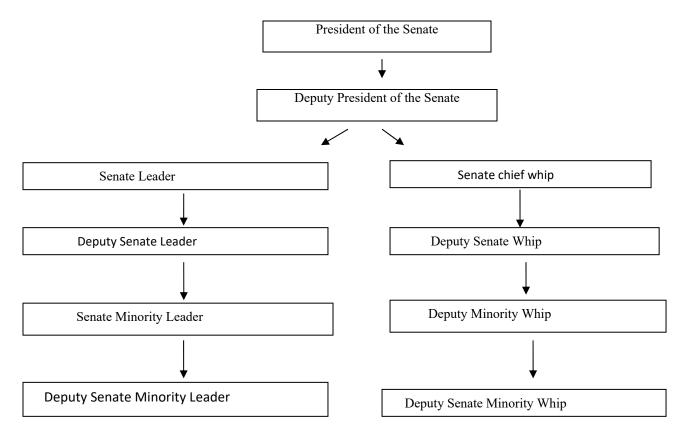


Fig. 2.1 Structural Command of the Senate

Sources: Compiled by the Researcher (2022)

2.4.3 Effectiveness of the 8th Senate in the Nigerian National Assembly

The 8th Senate under the leadership of Dr. Abubakar Bukola Sarakias President of the Senate, against all odds, laid the groundwork for the proper perception of the National Assembly. They acted with the noblest and most patriotic intentions and in the best national interest and neither feared to legislate out of fear. The 8th Senate, the venerable red chamber of the National Assembly has set new records in legislative performance in Nigeria; from passing epoch- making

laws that will help shape the Nigerian future to the Petroleum Industry Governance Bill which had failed to materialized for years(Deputy Senate President: Ike Ekweremadu, May, 2019).

According to the Senate President, Saraki (2015), Senators are elected to work for Nigeria and when the interest of the Country is at stake, there are no PDP Senators or APC Senators.' This slogan help weld the Senate into cohesive unit. They were able to soldier on as a powerful team, taking on the most difficult bills, petitions and motions. The 8th Senate surpassed the previous Session in the number of bills and petitions successfully passed and treated.

Achievements of the 8th Senate includes:

Checks and Balances

It would be recalled that during the period of the 8th Senate in the Nigerian National Assembly, particularly throughout 2017, as a result of relative peace and unity in the Senate, the Upper Chamber was able to checkmate the Executive arm of government in so many ways like the rejection of Mr. Ibrahim Magu as substantive chairman of Economic and Financial Crimes Commission(EFCC), investigation and recommendation of Mr. David Babachir Lawal for dismissal as Secretary to the Government of the Federation (SGF) due misconduct, summoning of comptroller –General of the Nigerian Customs Service (NCS) Col Hammed Ali (Rtd) over refusal to wear the Customs Uniform and suspension of confirmation of appointments of several nominees from the presidency on account of out-burst of the Vice President, Prof. Yemi Osibanjo against it over rejection of Magu as EFCC'S substantive chairman (Odewale, 2019),

Formation of National Assembly Business Roundtable (NASSBER)

The Senate under the leadership of Dr. Bukola Saraki adopted the method of engaging with professional groups, academics, development partners, NGOs, CSOs and other organizations to work on important bills and issues. This led to the formation of the National Assembly Business Environment Roundtable (NASSBER) as business opportunities for economic growth and infrastructural reform. The roundtable had the aim of reviewing laws to reform and restructures the business environment to enhance ease of doing business to bring our laws in line with international best practices and generate mass employment opportunities, as well as the development of Small and Medium Enterprises (SMEs) and highly influential legislative agenda with a focus on reforming the economy. The roundtable dialogue became a regular fixture and held in various areas and its improved community participation, engagement and synergy between Constituencies and their Senators.

Constitutional Amendment

The constitutional Amendment was another major endeavor embarked upon by the 8thSenate which is as follows:

• Constitutional amendment to provide for independent candidature in elections:

- i. Changing procedures and guidelines for accessing the ballot by political parties and independent candidates;
- ii. Ensuring independent candidates are able to participate in elections at the local, state and federal levels; and
- iii. Ensuring requirements and conditions for nominating independent candidates are outlined by an act of the National Assembly, for ease of implementation.

• Constitutional amendment to abrogate State joint Local Government Accounts:

- i. Ensure all Local Government allocations are paid directly from the Federation Account and from the government of the state;
- ii. Empower each Local Government Authority (LGA) to maintain its special account; and
- iii. Provide for primary school teachers' salaries to be taken from a proportion of the sum paid to LGAs from the Federation Account.

21 – Point Economic Plan

The 8th Senate in the Nigerian National Assembly set up a technical Committee known as '8th Senate 21 – point Economic Plan' to review and compile all Senate recommendations into a document with a focus on strategies to exit the economic recession. The Senate adopted this resolution on September 22, 2016 with a focus on strategies to exit the economic recession of Nigeria.

Electronic Voting

In April 2017, the Senate passed the Electoral Act No. 6, 2010 (Amendment) Bill. The importance of this bill could not be over- emphasized; and it stood every chance of becoming one of the most crucial laws in the history of the electoral process in Nigeria. Among its most important provisions was electronic voting, as a means of eradicating electoral malpractices and to make for an easier, more transparent and faster electoral process. The bill is noted as an improvement in the electoral system, one that will live in the minds of Nigerians as one of the best contributions of the 8th Senate to nation-building modern democracy of Nigeria.

Police Reform

The 8th Senate initiated bills with keen emphasis on reforming and improving the welfare of police officers and thereby passed the Police Trust Fund Bill on 17th April, 2019 under the leadership of Dr. Bukola Saraki in order to enhance the effectiveness of the rank and file in the discharge of their security duties. The bill will make the Police more community/people – oriented, professional, and accountable with respect the international standards in policing with emphasis on respect for human rights.

Open National Assembly Campaign

The 8th Senate promotes transparency and accountability by launching the Open NASS campaign. This has gone a long way in bridging the communication gap between leaders and the electorate. The Open initiative also helps in strengthening democracy in Nigeria by giving citizens a platform to come forward and voice their opinions directly to lawmakers.

Gender: Women participation in Election

A lot of bills were initiated under the leadership of Dr. Bukola Sarakito improve the condition of women across different sectors including political participation in Elections Support Bill. This is to ensure that women are adequately represented at all levels. Quotas also prescribed for election of women into the Senate and enhance the representation of women in certain election offices.

Anti – Corruption Fight

The 8th Senate made an immense contribution to the Federal Government's anti-corruption fight.

They passed major anti- corruption bills to create legal and institutional frameworks for

strengthening the operations of the anti- graft institutions, and to entrench both preventive and punitive measures against corrupt practices. Among these were: the Whistleblowers Protection Bill; Corrupt Practices and other related offences Act (Amendment) Bill; Mutual Assistance in Criminal Matters Bill; Nigerian Financial Intelligence Unit Bill; Federal Audit Service Commission Bill; Proceeds of Crime Bill and Witness Protection Programme Bill. The Senate made the fight against corruption a cardinal agenda from outset, and took steps to curb corrupt practices, eliminate waste, block leakages in the system and hold public officials to account for their conduct in the exercise of their official duties. Lawmakers did not shirk their responsibilities to expose corruption and prevent financial leakages.

The Senate President on their first anniversary gave a report that "On their part and keeping with their pledge to support the anti-corruption crusade, the Senate has within the period carried out oversight investigations into the noticed abuse in the implementation of the Treasury Single Account (TSA), saving government over N20bn - and the implementation of the Rice Importation Waivers and Duties Policy of Government." They also looked inward and saw to internal cleansing by lying open its annual budgetary allocations. This was the first Assembly in Nigerian History to publish its budget for public scrutiny, ushering in a new era of transparency and openness in the legislature. Another achievement was the legislative inputs in the area of oversights, by putting various MDAs on their toes against embezzlement of public funds.

Ensuring National Security including Herdsmen and farmers crisis

The 8th Senate gave its full attention to the heightened state of insecurity in the Country over the four years of its tenure. Often making direct and decisive interventions to strengthen the national

security architecture and to bring succor to affected communities as a counter- measure to an increasing spate of killings, kidnappings and other acts of criminality, and embarked on significant legislative endeavor's aimed at providing institutional, regulatory and legal review of laws that had a direct bearing on the security of the lives and properties of Nigerians. In line with its power of oversight, the Senate interfaced on many occasions with the National Security Adviser, the Minister of Defense and other top Security chiefs to seek out enduring solutions to the problem of insecurity.

Based on the National Security summit held in collaboration with Security Agencies and other stakeholders on February 8, 2018, the 8th Senate also plays a vital role in defusing herdsmen and farmers clashes which leads to death and destruction of property in various geo-political zones. Among the outcomes of the summit were immediate and comprehensive reviews of the nation's security architecture to address gaps in coordination, collaboration and synergy among Security Agencies and the Senate called for technology to be incorporated into the core of Nigeria's national security architecture and management, while also canvassing the need to reduce the country's dependence on imports of basic security equipment.

Re-Opening of Ladoke Akintola University

In the four years of the 8th Senate Nigerian National Assembly a lot of issues were intervened. One of it is the re-opening of LAUTECH. In July 2017, the Senate intervened in the closure of Ladoke Akintola University of Technology (LAUTECH), Ogbomoso. The university campus had been under lock and key for months, and the Senate's efforts were a major factor in getting the owner states to reopen the institution.

Access to Foreign Exchange for Businesses

In 2017, Senators intervened in the lack of access to Forex for SMEs, owing to Central Bank of Nigeria's policies at the time. This intervention led to a review of CBN policy, thus enabling small business owners to access necessary Forex for import, export and service delivery needs.

Addressing Drug Abuse

The 8th Senate held a two-day roundtable on Drug Use Crisis on December, 2017 at Kano, Nigeria to pushback against drug abuse in communities. It further led the National Agency for Food and Drug Administration and Control (NAFDAC) to move against the unregulated sale and distribution of tramadol, while the Federal Ministry of Health placed a ban on the manufacture and importation of codeine.

Primary Healthcare

In May 2018, the Senate intervened in the health sector by passing a clause in the 2018 Budget to set aside 1% of the Consolidated Revenue Fund (CRF) for the provision of primary healthcare in the Country. This budgetary clause for the first time activated the provision of the National Health Act 2014, and made available N33 billion for primary healthcare a core legislative focus in the 2018 Budget. As a result, additional funds are now provided for over 180 million Nigerians to have access to quality health services. The 1% provision has further been elevated into a first line charge in 2019 Budget.

2.4.4 Challenges of the 8th Senate in the Nigerian National Assembly

Despite some accolades to the performance of the 8th Senate in the Nigerian National Assembly, we cannot conceal the fact that the 8thSenate was thrown into endless crisis arising from long disagreement over the elections and appointments into leadership positions, budget padding, jumbo pay, hostile executive relations and defection from one political party to another. This further altered its efficiency and functionality (Civil Society Legislative Advocacy centre (CISLAC),2019).

According to Special Adviser on Media and Publicity to the President of the Senate: Yusuph Olaniyonu, on May, 2019, the major challenges was as the result of the controversy over the emergence of the new leadership because the APC Senators were absent during the inaugural plenary – attending a meeting at the International Conference Centre (ICC), Abuja. And it appeared the conveners of the ICC meeting preferred different candidates for the top offices which thereafter threatened to overshadow the work of the Senate. Other factors that militate against the role of the 8th Senate Nigerian National Assembly include:

Economic downturn or Economic slump/recession

Economic downturn was one of the challenge confronted the 8th Senate. This situation causes the Nigerian economy to sustain by oil and gas for decades, to the detriment of other contributing sectors. There were growing concerns over monetary and fiscal policy as the naira nosedived and investor confidence started to wane. The banking sectors were also shown to be contracting, as both began to announce staff layoffs and business closures.

According to the policy dialogue by the Senate President with business leaders like Aliko Dangote and Femi Otedola the factors contributing to the economic slump included: Nigeria's dependence on oil; the nation's low foreign reserves, fiscal leakages and corruption. And the activities of Niger – Delta militants which significantly affected oil revenue.

Bipartisan Leadership and Strident Attack

The 8th Senate, Nigerian National Assembly under Dr. Bukola Saraki always had strident attacks (allegations) against the Senate President in and outside the Senate on the bipartisan leadership of the 8th Senate which was not his creation and since it had happened, is a burden to him and the entire Senate in the Nigerian National Assembly. The National Publicity Secretary then, now Hon. Minister of Information, Culture and Tourism, Alhaji Lai Muhammed who in a statement accused Senator Bukola Saraki of his emergence as Senate President against the wish of the party. The statement reads: "Senator Bukola Saraki is not the candidates of the APC and a majority of its National Assembly Members-elect for the positions of Senate President".

An attack against the Senate President and the Deputy Senate President, Ike Ekweremadu as the issue of alleged forgery of the Senate Standing Rules by them cropped up and even ended in litigation against them at the federal high court, Abuja by front line members of the Senate Unity Forum then, are Senators Ahmed Lawan (APC Yobe North), Abu Ibrahim (APC katsina South), Barnabas Gemade (then of APC Benue North East now SDP), George Akume (APC Benue North West), Kabir Marafa (APC Zamfara Central), Suleiman Hunkuyi (then of APC Kaduna North but now PDP) AND Gbenga Ashafa (APC Lagos East).Lawan and the six other Senators anchored the case on alleged forged Senate Standing Orders upon which the 8th Senate was

inaugurated on the 9th of June 2015 and provisions of which were used to conduct elections that saw to the emergence of Saraki and Ekweremadu as President and Deputy President of the 8th Senate respectively. All this contributed and hinders work effectiveness of the 8th Senate.

Inadequate cooperation by the Inspector General of Police on Security matters

According to Daily Trust, April 25, 2019, the repeated refusal of the Inspector General of Police, Ibrahim Idris to appear before the Senate Committee on Police Affairs to discuss the state of insecurity in the nation – including the killings of seven police officers in Abuja – led to a face-off with the Upper Chamber, with Senators condemning his recalcitrance. The Senate President was firm in the declaration that: 'The refusal of the IG to appear before an investigative committee, ruled by a court of competent jurisdiction, is a great danger to our democracy.

Police onslaughts against Senate President Bukola Saraki and his Deputy Senate President

The Nigeria police force under the immediate past inspector-general, Ibrahim Idris; launched series of onslaughts against the Senate President, Bukola Saraki from April 2018 to January 2019. On July 24th, 2018, police barricaded the homes of the Senate President and the Deputy Senate President to prevent them from presiding, perhaps in the hope of facilitating forceful impeachment.

Though the above came after the five (5) gang leaders confessed during investigation that they are political thugs under the name Youth Liberation movement a. k. a "Good Boys" admitted to have been sponsored with firearms, money and operational vehicles by the Senate President, Dr. Bukola Saraki and the Governor of Kwara State, Alh. Abdulfatah Ahmed. But, according to the

Senate President in his statement that is a mere baseless allegation and another ploy by the Police to implicate him by all means to frustrate his leadership ambition in the Senate.

The President of the Senate by extension, number three Citizen in the Country and was mostly harassed with all manner of accusations by the police to the point of threatening to file charges against him in the court of law. However, for a serving Senate president to be treated like a common criminal, "This action to me is a treat to the activities of the 8th Senate in the Nigerian National Assembly and modern democracy of Nigeria as a whole.

Directorate of State Services (DSS) siege on NASS and Legislators' vigil

The agents of the Directorate of State Services (DSS) on August 7th,2018 launched full invasion of the National Assembly and prevented elected members and National Assembly staff from gaining entry in order to – as speculated by many - effect a forceful change of Senate leadership. This comes as a result of the Senate President who eventually made his exist from the ruling APC and joined the opposition Peoples Democratic Party (PDP) on July 24, 2018. Despite the subsequent, constant refusal of presidential assent to many critical bills such as the Electoral Act. Defection breeds high-level politicking at the expense of effective legislative performance. According to Senator Ben Murray – Bruce (Bayelsa East) the shameful invasion of NASS by security operative/agencies is a barbaric act against modern democracy of Nigeria.

Return of divisions in Senate over reordering of sequence of 2019 general election

The 8th Senate united house between October 2016 went sour incidentally on a Valentine day, Wednesday, February 14, 2018 arising from passage of 2010 electoral Act (amendment) Bill 2018 which sought among others, reordering of sequence of the now conducted 2019 general

elections from how it was arranged by the Independent National Commission (INEC) to new pattern of sequence.

The INEC Chairman, professor Mahmud Yakubu had in October 2017 announced to Nigerians that the 2019 General elections will be segmented into Federal and State polls to be conducted differently inform of Presidential and National Assembly elections fixed for February 16, 2019 and Governorship and State Houses of Assembly election fixed for March 2, 2019 respectively.

But the Senate based on recommendation made by its Committee on INEC, sought for reordering of sequence of the elections as contained in Section 25(1) of the bill. The Section against earlier arrangement made by INEC puts National Assembly election first, Governorship and State Houses of Assembly elections second and Presidential election last. And according to the chairman of the Committee, Senator Suleiman Nazif, the Sequence of the election was reordered, to prevent band wagon effects which always followed outcome of Presidential election when conducted first. Being a confluence Committee report, the Senate President, Bukola Saraki put motion for adoption of the report straight for voice votes by the Senators without subjecting it to any debate

Tension heightened when "Distinguished colleagues, like Senator Ovie Omo Agege (APC Delta Central), Senator Kabiru Gaya (APC Kano South) and Senator Abdullah Adamu (APC Nasarawa West) raised a point of order to call for division and to nullify the passage of the Act by arguing that the sequence of election included in the Act was illegal but was also overruled by the Senate President.

Snatching of Mace (the parliamentary symbol of authority) and Omo-Agege misunderstand with Senate leadership

The 8th Senate had another round of crises which was the invasion of its Hallowed Chambers by yet to be identified and apprehended thugs on Wednesday, April 18, 2018, who snatched and went away with its symbol of authority popularly referred to, as 'mace', while in session. It was barely 15 minutes after commencement of plenary presided over by the Deputy Senate President Ike Ekweremadu which started at the Senate wing at 11:16 am. The dramatic incident happened during the strong political opposition to the Electoral Act Amendment Bill. Despite the intervention of the Senate's Ethics and Privilege Committee, the conflict escalated leading to the suspension of Omo-Agege, the Deputy Senate President now and the thugs before entering the hallowed chamber, pretended to be constituents of Senator Omo-Agege who himself despite purportedly been on suspension, came into the chamber that day coincidentally at the time the hoodlums, forced their way into the chamber, snatched the mace and run away with it in the presence of Senators, Sergeant – at – Arms, Journalists and security operative around. And attempts made by police and Sergeant - at – Arms to stop the thugs from running away with the mace proved abortive.

Omo- Agege had before his arrest exchanged banters in the Senate Chambers with other pro-Buhari Senators like Benjamin Uwajumogu (APC Imo North), Abu Ibrahim (APC Katsina South), Tayo Alasoadura (APC Central) and Abdullahi Gumel (APC Jigawa West).

A submission concurred to, by members of the House of Representatives led by the Deputy Speaker, Hon. Suleiman Lasun Yusuf who said the assault on Senate was an assault on the entire National Assembly. And to me, it is also an assault to the 8th Senate and our Nigerian modern democracy.

2.5 Empirical / Literature Review

This study provides some empirical evidence on legislative effectiveness. The unanimous view in the literature on legislative effectiveness is that the effectiveness of a legislator may be measured in different ways, including but not limited to the number of bills sponsored by the legislator, whether the bill see any action, whether they pass the chamber, the proportion of the bills sponsored that succeed, and whether bills sponsored by different members possessing similar characteristics are more likely to succeed.

According to Cox and McCubbins (1993), these indicators of measuring the effectiveness of legislators were examined by their studies and they posited that bills sponsored by mainstream legislators are more likely to be successful either because the sponsor's ideology sends a signal that a proposal reflects the preferences of the entire legislature. The study also highlights that the role of the sponsor's ideology may differ depending on the stage of the bill because parties play a central role in setting the floor agenda. This position lends credence to the party-dominated committee theory which holds that legislative power lies with the political parties. The study by Hall (1996), highlighted that committee leaders tend to possess attributes and resources that contribute to their effectiveness in crafting and advancing policy proposals that are more likely to win the support of other legislators. This supports the informational (Chamber-dominated) theory which stresses the role of committees in the legislative process. The importance of co-sponsoring of bills was examined by Young (1997), arguing that the number of co-sponsors is one indicator

of legislative effectiveness and that a long list of co-sponsors is a clear indication that a bill has broad support across ideological and / or partisan lines. This view is closely linked with the positive political theory of legislature which sees law-making as a bargaining process where legislators bargain and form coalitions in order to facilitate their individual goals.

The issue of longevity was stressed by Wawro (2000), stressing that long serving members posses better information about the preferences and priorities of other members as well as better understanding of the legislative operations. Therefore, these should make them more effective. Also, the study argued that greater electoral pressures may suggest that junior members may be unusually active and possibly more successful on matters of particular relevance to their constituencies. The study of Adler and Wilkerson (2005), emphasized the importance of bill contents and therefore suggested that bills be distinguished by their scope and urgency of required action. On this part, Krutz (2005), explained why some members' bills are likely to progress through the legislative process than those of others, with members of the majority party tending to be more successful. Adler (2005), noted that bills sponsored by legislators who are deemed to be experts on an issue, whether by virtue of their roles as their seniority, and / or their prior profession, should be more successful.

2.6 Theoretical Framework

Theories are like vehicles that drive the study. Theories are defined as a set of interrelated concepts which provides a systematic view of the phenomenon by light of the theorist.

The theoretical framework adopted guides this study and provide the basis for understanding and determining whether the variables in this research are effective to produce the desired result.

There are many theories that examine role effectiveness and challenges of legislatures but this research focuses on two theories, they are:

- 1. Principal-agent problem theory and
- 2. Momodu and Matudi (2013) theory

The Principal- Agent Problem Theory

The principal-agent theory was developed in the 1970s by Michael Jensen of Harvard Business School and William Meckling of the University of Rochester.

This theory describes problems that occur when agents and principals have conflicting interests. For instance, popularly elected governments are more peculiar to developed economies. Countries are often governed as directed democracies that operate by letting citizens to elect government officials. These officials are agents of the people they represent. However, does the government truly represent the people?

Thus, Principal-agent problem can occur in government when officials have motivations to act in their pecuniary interests rather than as agents for the people, who are the principals. Also, elected officials, among others face different pressures to act against the public interest. Occasionally, Principal-agent problems occur owing to government officials lack the knowledge to act effectively as agents for the people. Principal-agent problems in government can be reduced by changing incentives to minimize conflicts of interest.

The Principal are the electorate, people or citizen while the Agents are the elected officials or the legislature. Meaning that, the officials or the legislature are the (agent) of the (principal) they represent. Those people, who are the principals, want public officials to make decisions in their best interest. Agents with perfect information usually act to serve them and that would be even when the people's interest is in conflict with their own. For example, the principal- agent problem can be in many day-to-day situations in Nigeria. The principal (Citizen) voted an agent to represent them; they rely on the Agent (elected) to represent them better in the area of public interest. In all, the principal has little choice in the matter because the agent will be unable to get the job done as they will act in their own interest and government a. Whenever government officials act in their own private interests, they potentially introduced conflict into their relationship with the electorate. In theory, elections provide a check on elected officials who go against the public interest.

Momodu and Matudi (2013) Theory

The theory describes the tripartite function of the legislature, namely, law making, oversight and representation. The theory examines the exercises of these functions and used it to translate the achievement or effectiveness of the 8th Senate in the Nigerian National Assembly.

The theory is a form of representative democracy. Thus, representation was interested in managing the relationship that existing between legislators and among citizens. Using the tripartite function for instance, representatives has little or no capacity to exercise their own judgment as is merely elected to be mouth piece (law-maker) of their constituency and government and act only the way their constituents and government would want them to

(oversight) regardless of their own opinion. To authorize a representative is to grant another the right to act for oneself. Within the limits of the grant of authority one is, in fact, committing himself in advance to the decision or will of another.

2.7 Relevance of the Theories to the Study

Based on the research, it is clear that 8th Senate legislatures play critical and effective role in the Nigerian National Assembly, modern democracy. This role is primarily discharged through the exercise of the basic legislative functions of law making, representation and oversight. However, the most important way that the legislatures of the 8th Senate contribute effectively to the Nigerian National Assembly, modern democracy is the exercise of the instrumentality of its oversight function by the Committees.

This largely perceived legislative role of law – making, representation and oversight in modern democracy which correspondingly promotes participation. The concept of representation which is vividly captured in legislative role under any modern democracy is an important issue to define due to varied attributes of representation (Obianyo, 2011).

The theories have detailed understanding of the legislative role in modern democracy: effectiveness and challenges. It also enables one to understand who are the Agent and the Principal in the area of representation. The result in Principal – Agent and Momodu and Matudi theories, is that the achievement of principals objectives maximized and resulting in a more efficient and effective policy and representation outcome as well as law-making and oversight.

2.8 Gap in Knowledge

The empirical / literature review and theoretical views on the role of legislature in modern democracy: effectiveness and challenges of the 8th Senate in the Nigerian National Assembly devoted much attention to the effectiveness and challenges in the context of modern democracy. The literature focuses on the legislature in modern democracy, particularly the Nigerian National Assembly (Huber, 2002).

The previous study by some scholars like Wawro (2000), Young (1997), Wikerson and Krutz (2005) have been identified in their review of dependable information on the role of legislature in a modern democracy regards on legislative effectiveness on bills sponsoring and its successfulness.

Therefore, to the best of researcher knowledge no study has ever looked at the effectiveness and challenges of the 8th senate legislature in the Nigeria National Assembly which is the main aspect the study focused on and is the major variables identified. Thus, this present study examines and evaluates the extent to which the 8th Senate legislature performed their roles. However the study explored its legislative characteristics and then proceeding to scrutinize budget passage and checks and balances through its law-making, representation and oversight functions.

CHAPTER THREE

METHODOLOGY

This deals with the method of gathering information for the study. It highlights the methods in which data was generated, gathered, organized, designed, analyzed and administered.

3.1 Research Design

This study adopted a survey method. This involves field of work of primary data collection from the targeted population analysis of collected data through statistical instrument and interpretation of data. For the purpose of gaining a better understanding of the study, it explains further the sources of data at targeted population, sample size, sampling technique, method of data collection, and analysis.

3.2 Sources of Data

For the purpose of this study, two types of data were used, the primary and secondary sources of data.

Primary Data:

The primary data were collected through questionnaire administered within the National Assembly, interview and observation.

Secondary Data:

Materials for this study was sourced mostly from written works obtained from libraries and archives which include, text books, journal, articles, newspapers and magazines on the subject. Information contained in "the 8th senate on record" a publication of office of the president of the

senate which has information on the activities of the 8th senate National Assembly (2015 - 2019) was used.

3.3 Study Location

The study location is the National Assembly of the Federal Republic of Nigeria. National Assembly is a Bicameral Legislature established under Section 4 of the Nigerian Constitution. It consists of Senate with 109 members and House of Representatives with 360 members. The National Assembly, like many other organs of the Federal Government, is based in Abuja.

3.4 Population of the Study

The population for this study was drawn from the Senate Chamber of the National Assembly which consists of National Assembly staff (legislative staff), the distinguished Senators and the Legislative Aides with a total population of Five Thousand Two Hundred and Seventy (5,270). The table 3.1 shows the details of the legislative records below.

Table 3.1: legislative Records

S/N	Names	Population
1	Distinguished Senators	109
2	Legislative Aides in the Senate	2344
3	National Assembly staff	2817
Total		5,270

Source: National institute for legislative and democratic studies and National secretariat of Nigeria legislatures (2019)

3.5 Sample Size and Sample Technique

Sample size:

In an effort to get reliable data, non-proportional stratified random sampling was selected and respondents were given questionnaires to complete. The sample of the study consists of 10 distinguish senators, 50 legislative Aides and 60 staff of National Assembly are selected from the sampling. By this process, the total number of respondent selected for sampling is 120. The number respondents are chosen using "non-proportional stratified random sampling".

Sample Technique

The method used in the Selection of sample in this study is called non-proportional stratified random sampling technique. This is a method of sampling that involves the division of a population into smaller groups known as strata so that no significant group is left unrepresented and it gives a greater control over the sample. The choice of the technique was to ensure that members of the Institution population are those that have requisite knowledge of the subject matter and it's necessary because the National Assembly is large and considering the volume of activities they carry out on daily basis.

3.6 Method of Data Collection and Analysis

Data Collection:

The questionnaire which is the instrument for data collection was administered to the respondents by the researcher and assisted by research assistant. The structured questionnaire developed was used for collecting information from the respondents. A total of 120 respondents out of the total population were sampled.

Method of Data Analysis:

The method used in this study for analyzing the data is tabular method of presentation. The data was presented in tabular form and analyzed in **chapter four.** The data was analyzed in accordance with the responses from the questionnaire administered.

3.7 Administration of Questionnaires

The questionnaires administered by the researcher were one hundred and twenty (120) but only ninety eight(98) were returned by the respondents and collected by the researcher.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.1 Background of Respondents

Table 4.1 Gender distribution of Respondents

Gender	Frequency	Percentage (%)
Male	68	69%
Female	30	31%
Total	98	100

Field Survey: January, 2022.

Table 4.1 represents the gender of the respondents. The statistics shows that 68(69%) of the respondents were male while 30(31%) were female. This shows that the majority of the respondents were male.

Table 4.2 Age Distribution of Respondents

Age	Frequency	Percentage (%)
25 - 35	20	20%
36 - 45	40	41%
46 and above	38	39%
Total	98	100

Field Survey: January, 2022.

Table 4.2 shows the age bracket of the respondents. The statistics shows that 20(20%) of the respondents are between the ages of 25 - 35, 40(41%) of the respondents are between the ages of

36 - 45 while 38(39%) are between the ages of 46 and above. Based on the statistics, the majority of the respondents are between 36 to 45 years of age.

Table 4.3 Occupational Distribution of Respondents

Occupation	Frequency	Percentage (%)	
Distinguished Senator	2	2%	
Legislative Aides	18	18%	
National Assembly Staff	78	80%	
Total	98	100	

Field Study; January, 2022.

Table 4.3 shows the occupational distribution of respondents. The statistics shows that 2(2%) respondent is a Senator, 18(18%) of the respondents are Legislatives Aides while 78(80%) of the respondents are staff of National Assembly. Based on the statistics, majority of the respondents are staff of the National Assembly.

Table 4.4 Educational Background of Respondents

Level of Education	Frequency	Percentage (%)
Ordinary Diploma	15	15%
HND	25	26%
B. Sc. Degree	20	20%
Masters Degree	30	31%
Doctorate Degree	8	8%
Total	98	100

Field Survey: January, 2022.

Table 4.4 shows the educational background of respondents. The statistics shows that 15(15%) of the respondents have Ordinary Diploma, 25(26%) of the respondents have Higher National Diploma, 20(20%) of the respondents have B. Sc. Degree, 30(31%) of the respondents have Masters Degree while 8(8%) of the respondents has Doctorate degree qualification.

4.2 Data Presentation and Analysis

Table 4.5 Are the roles played by the legislature in modern democracy, constitutional functions?

Response	Frequency	Percentage (%)
Agreed	76	78%
Disagreed	4	4%
Undecided	18	18%
Total	98	100

Field Survey: January, 2022.

Table 4.5 above shows respondents' opinion whether the roles performed by the legislature in modern democracy are constitutional functions. The statistics shows that 76(78%) of the respondents agreed, 4(4%) of the respondents disagreed while 18(18%) of the respondents was undecided.

Table 4.6 Please do you agree in modern democracy?

Response	Frequency	Percentage (%)
Agreed	66	67%
Disagreed	28	29%
Undecided	4	4%
Total	98	100

Field Survey: January, 2022.

Table 4.6 above shows respondents' opinions that agree and disagree with modern democracy. The statistics shows that 66(67%) of the respondents agreed, 28(29%) of the respondents disagreed while 4(4%) of the respondents was undecided.

Table 4.7 What extent the 8th Senate legislature in the Nigerian National Assembly roles especially budget passage and checks and balance be classified?

Response	Frequency	Percentage (%)
Excellent	30	31%
Very good	48	49%
Good	20	20%
Total	98	100

Field Survey: January, 2022.

Table 4.7 above shows the extent the 8th Senate in the Nigerian National Assembly roles is classified. The statistics shows that 30(31%) of the respondents classified it as excellent, 48(49%) of the respondents classified it as very good while 20(20%) of the respondents classified it as good. This shows that majority of the respondents classified it as very good.

Table 4.8What is the total number of male and female members of 8th Senate legislature in the Nigerian National Assembly?

Response	Members	Frequency	Percentage (%)
Male	101	50	51%
Female	8	48	49%
Total	109	98	100

Field Survey: January, 2022.

Table 4.8 shows male and female respondents on the total number of male and female members of the 8th Senate legislature. The statistics shows that 50(51%) of the respondents are male and they indicated that, the total number of female are 8 and the total number of male are 101 while 48(49%) of the respondents are female and they also indicated that, the total number of female are 8 and the total number of male are 101. Based on the above statistics, the majority of the respondents were male.

Table 4.9Do the 293 bills passed by the 8th Senate under the leadership of Dr. AbubakarBukolaSaraki as President of the Senate, addressed several issues affecting ordinary Nigerians especially unemployment and insecurity?

Response	Frequency	Percentage (%)
Agreed	3	3%
Disagreed	67	68%
Undecided	28	29%
Total	98	100

Field Survey: January, 2022.

Table 4.9 shows the respondents who agreed, disagreed and undecided on the opinion above. The statistics shows that 3(3%) of the respondents agreed, 67(62%) of the respondents disagreed while 28(29%) of the respondents were undecided on the issue. Based on the statistical table, the respondents that disagreed were high.

Table 4.10Is there role effectiveness by the legislature of the 8th Senate in the Nigerian National Assembly?

Response	Frequency	Percentage (%)
Yes	40	41%
No	38	39%
Undecided	20	20%
Total	98	100

Field Survey: January, 2022.

Table 4.10 shows respondents opinion on role effectiveness of the 8th Senate in the Nigerian National Assembly. The statistics shows that 40(41%) of the respondents said yes, 38(39%) of the respondents said no while 20(20%) of the respondents were undecided. The above statistics on the respondents who indicated yes shows that there is role effectiveness by the 8th Senate in the Nigerian National Assembly.

Table 4.11What are the challenges encountered by the 8th Senate Nigerian National Assembly in discharging their legislative roles?

Response	Frequency	Percentage (%)
Male	49	50%
Female	49	50%
Total	98	100

Field Survey: January, 2022.

Table 4.11 shows respondents opinion indicated the various challenges encountered by the 8th Senate in the Nigeria National Assembly in discharging their legislative roles. The statistics shows that 49(50%) of the respondents were male while 49(50%) of the respondents were female. Both indicated the various challenges and the table also shows equal respondents.

4.3 Research Findings

Based on the analysis and tests on the data collected, the findings shows that the information gotten from this research study is seen as highly reliable because, the respondents are from National Assembly of the Federal Republic of Nigeria which is the study location. It was found that the roles performed by the 8th Senate legislatures in modern democracy are constitutional function. And their roles performed are very good in modern democracy.

Effectiveness:

The findings from the analysis show that, the 8th Senate in the Nigerian National Assembly has performed well in the history of modern democracy of Nigeria. The number of bills they passed is applause to the 8th Senate on the roles performed. These bills passed transformed the nation's Security Agencies, enhanced the anti-corruption crusade and diversified the economy by creating

a business friendly environment for both local and foreign investors. The bills also triggered performance rate on budget passage and checks and balances. It also made government more open and accountable.

Challenges:

From the analysis, it has been found that there are challenges encountered by the 8th Senate in the Nigerian National Assembly that militate against their role performance.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

The research work which was designed and examines the role of the legislature in modern democracy: effectiveness and challenges of the 8thSenate in the Nigerian National Assembly, 2015 to 2019, summarized, concluded and finally made some recommendations based on its findings.

5.1 Summary of Findings

The objective of this study is to examine the role of the legislature in modern democracy: Effectiveness and Challenges of the 8th Senate in the Nigerian National Assembly. The study covers the period within 2015 to 2019 and was divided into five chapters. The study provided the general introduction which consists of the background information of the study.

The study presented the literature review and theoretical framework structured for a previous work related to the study and the methodology used and presented include research design, study location, sample size and sampling technique, method of data collection and analysis, and administration of questionnaires. The study also presented and analyzed in a tabular form in accordance of the responses of the questionnaires administered.

Finally, the study explored the effectiveness and challenges of the 8th Senate in the Nigerian National Assembly and as well presents the summary, recommendation and conclusion.

5.2 Conclusion

The study examined the role of the legislature in modern democracy: effectiveness and challenges of the 8th Senate in the Nigerian National Assembly from 2015 to 2019. In conclusion, we had seen the legislature's role as the central to the survival of modern democracy and the emergence of 8th Senate, its effectiveness and challenges in the Nigerian National Assembly. Though the activities such as law making, oversight, representation, confirmation of appointment and constituency outreach of the 8th Senate were characterized by interest-driven politics and drama but nonetheless, still stand out as the best so far since the 1999 Nigeria emerges as democracy in terms of legislative engineering of the modern democracy for the betterment of Nigerians based on the research conducted.

Despite the intrigues and drama that characterized it's take off in June, 2015, the 8th Senate achieve more by setting out clear cut legislative agenda for itself as an operational compass which to a very large extent, assisted it to performing a little far better than previous Senators. Other important remarkable move of the 8th Senate lead by the Senate President, Dr. Bukola Saraki that help the electorate is the opposed inclusion of kerosene subsidy in the 2015 budget as well as his opposition to petroleum swap deal by Nigeria National Petroleum Company (NNPC) and Open NASS policy which bridge the communication gap between the leaders and electorates and strengthening democracy in Nigeria. The 8th Senate remains the one with the highest number of bills passed to mention but few which include: Public hearing on Appropriation Bills which brought under one roof all stakeholders involved in the budgetary process, provided an enabling platform for public analysis, discourse and enlightenment on the basic recommendations and budget policies of the nation; Not-to-young- to- run Bill which help

reduce the age limit for Nigerians seeking the office of President from 40 to 35; governorship from 35 to 30 and this saw a number of youth participation and involvement in the nation's politics for the 2019 general elections; Companies and Allied Matters Act Bill, the Secured Transactions in Movable Assets Bill, the Credit Bureau Reporting Act Bill which were aimed at providing significant reforms to the business environment and formed the basis for which the World Bank upgraded the rating of Nigeria in its annual ease of doing business rating; the Nigerian Financial Intelligence Unit Bill (FIUB), the Mutual Assistance in Criminal Matters Bill, the Witness Protection Bill; the Whistleblower Protection Bill; and the Federal Audit Service Commission Bill support the fight against corruption; also, the Financial Autonomy for Houses of Assembly aimed at improving governance and ensuring that government serves the people better.

However, the growing trend in modern democracy of Nigerian National Assembly is the use of committee system with an obvious advantage that it permits legislators to deploy its role efficiently and effectively. The Bureaucratic and the Ad-hoc staff have significant effect on the efficiency of the legislature through their various roles and functions.

The 8th Senate in the Nigerian National Assembly was confronted with a number of challenges in the performance of their duties and the greatest problem is mostly pressure arising from leadership position, mace theft, economic recession police onslaught against the Senate President and his Deputy, Directorate of State Services (DSS) siege on National Assembly and uncooperative attitudes of Security leaders on the issue of insecurity.

5.3 Recommendation

Based on the findings and problems the 8th Senate Nigerian National Assembly encountered, the following suggestions are recommended:

Based on the analysis, majority agreed in modern democracy and one of its characteristics is freedom of speech. The 1999 Constitution guarantees the right of every Nigerian to freedom of speech and expression. Section 39(1) states that, "every person shall be entitled to freedom of expression including freedom to impart information without interference'. But at times when the leadership of Dr. Abubakar Bukola Saraki was imparting information at the chamber, there was interference from some other distinguished Senator (in opposite parties) and this need to be addressed because it's also contributed to the challenges of the 8th Senate. In my own view, modern democracy like Nigeria today is becoming a thing of theory due to insecurity, banditry, kidnapping and terrorism and this affected the function of oversight role of the 8th Senate.

Restructuring political parties will reduce proliferation of political parties in modern democracy of Nigeria that I view as unnecessary and the remaining ones will compete for role effectiveness. Zoning of leadership in various positions will reduce party defection and the majority members would not always be the lead in both presidential and Senate. This is because, Nigerians have not been privileged to have good experience of corporate leadership, (Team leaders) and hence the people's desires to have a country of their dreams is still a mirage.

There should be need for cooperation from the executive arm of government and thorough checks and balances. And the elected members should cooperate well with the electorate and represent them better through embarking on programmes and policies that would help build

confidence in the electorate about effective representation, and more commitment to their constituencies, effective open door policy and taking into consideration of their demand and creation of ideal of building refineries, stable power supply and building factories which will earn employment to their citizen whom they are representing.

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Appendix

National Institute for Legislative and

Democratic Studies/University of Benin

Postgraduate School,

Maitama – Abuja.

Dear Respondent,

QUESTIONNAIRES

My name is Gloria Kc. Onyekakie, a postgraduate student of Parliamentary Administration from

the above mentioned institution. I am undertaking a research project work on the topic; "The role

of the legislature in modern democracy: effectiveness and challenges of the 8th Senate in the

Nigerian National Assembly." Post graduate programme in partial fulfillment for the award of

Master Degree in Parliamentary Administration.

Please I solicit your assistance and cooperation in filling in the questionnaires to enable me gathers

information requires contributing to the subject of my project work. Please it is purely for

academic work and any information provided will be treated as highly confidential.

Thank You

Gloria Kc. Onyekakie

PG/NLS/1900063

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A. Bio - Data				
1. Gender: (a) Male	e (b) Female			
2. Age				
(a) 20 – 25	(b) $26 - 35$ (c) 3	36 - 45	(d) 46 and abo	ve
3. Occupation(a) Distinguished Second	enator (b) Legislativ	e Aides (d	c) National Asse	mbly staff
4. Level of Educati			() O 1' P'	
(a) Primary School	(b) Seconda	ry School	(c) Ordinary Di	plom
(d) HND	(e) Bsc. Degree	(f) Masters De	egree	(G) Doctorate Degree
B. Roles Performe	d by legislature in mo	dern democra	cy	
5. Are the role play	yed by the legislatures	in modern de	mocracy, Const	itutional functions?
(a) Agreed	(b) Disagreed	(C) Undecided	d	
6. Please do you ag	gree in modern democ	racy?		
(a) Agreed	(b) Disagreed	(C) Undecided	1	
(C) The 8th Senate	Nigerian National Ass	sembly		
7. In which ways	do the Legislative A	Aides provide	support servic	es to the legislators in

relation to their legislative roles?

(a)	(Male)
(b)	(Female)
8 What ext	ent the 8 th Senate legislature in the Nigerian National Assembly roles especially
budget pass	age and checks and balances be classified?
(a)Excellent	(b) Very good (c) Good
	the total number of male and female members of 8 th Senate legislature in the ational Assembly? (b) Female
	fectiveness 293 bills passed by the 8th Senate under the leadership of Dr. Abubakar Bukola President of the Senate, addressed several issues affecting ordinary Nigerians
especially u	nemployment and insecurity?
(a) Agreed	(b) Disagreed (C) Undecided
11. Is there Assembly?	role effectiveness by the legislature of the 8 th Senate in the Nigerian National
(a) Yes	(b) No (C) Undecided
(E) Challen	ges
12. What are	the challenges encountered by the 8th Senate in the Nigerian National Assembly
in discharging	g their legislative roles?

a) (Male)	
(b) (Female)	