

Legislative Oversight in Nigeria's Democracy: Roles, Challenges and Way Forward

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ABSTRACT

Legislative oversight is a robust mechanism institutionalized to check the excesses of the executive arm of government and government agencies, for accountability, to minimise waste in governance, corruption and absolutism in the exercise of political power. This institution has, however, come under serious criticism mainly to perceived misuse of their constitutional powers. This study examines legislative oversight in Nigeria's democracy based on its roles, challenges and way forwards. The study is underpinned under structural functionalism theory. Data for the study were generated from documentary materials and analysed through descriptive content analysis. The article argues that the legislature in the Fourth Republic has increasingly used its oversight function not only in controlling the executive but it has contributed in the stabilization of politics, reduction of corruption and increasing the quality of democracy. However, the study reveals that oversight functions critical aspect of the legislature have severely been compromised and with challenges. The study established that the legislative organ is incapacitated from carrying out effective oversight for good governance because of inadequate autonomy, the executive usurpation of legislative powers by involving in oversight function, the problem of god-fatherism and corrupt tendencies of most members of the legislative houses. It then suggests way forward as legislative oversight can become more effective once again if greater value is given to citizenship through a reformed electoral process which gives more power to the vote and, ultimately, enhance the capacity of voters to control public officers through the possibility of rejection at the polls. The legislature should be checkmated to reduce misconduct in some of their activities. To ensure effective legislation that will bring about good governance in the polity, there should be independent choice of candidates, free and fair election, financial autonomy of the legislature and regular oversight function, devoid of financial and material benefits or inducement by members of the legislative arm.

Keywords: Democracy, Legislature, Legislative Oversight, Accountability, Check and Balance and Nigeria

INTRODUCTION

To buttress the value and importance of legislature to a people representative government, the pioneering thinkers on constitutional democracy once said "Every man invested with power is apt to abuse it, and to carry authority as far as it will go. To preserve political liberty, the Constitution should ensure that the power of one branch of government should not be exercised by the same person(s) which possess the power of another branch" (Montesquieu 1976:4).

The above quote from Baron Montesquieu, who is among the pioneering thinkers on constitutional democracy, captures the fundamental role of the legislature in a democracy. Put otherwise, it highlights the fact that the legislature exists in a democracy to check the likely arbitrariness of the other two organs of government, especially the executive (Osunkoya & Basiru. 2019). In fact, a monocentric concentration of governmental authority in one institution and the lack of the legislature are viewed by Montesquieu and his contemporaries as harmful to both the good life and the health of the body politik (Basiru 2014).

The prime function of the legislature in any democracy is that of representation and accountability, such that its action should reflect the opinions and preferences of the entire citizenry. Hence the society is delineated into constituencies and every member of the society is specifically represented by a legislator or legislators in the parliament(s) (Abah & Obiajulu, 2017). Therefore, the legislature expresses public opinion through discussions, debates, and oversight, which is meant to direct the government in determining the appropriate emphasis of its policies and programs for the benefit of all. Insofar as the people act through their representatives in the parliament, all other legislative functions—such as passing laws, reviewing and/or approving the government's budget, supervising and monitoring government ministries, departments, and agencies, approving government appointees, and impeaching the chief executive—derive from this representation function. Democracy is transparent and accountable thanks to the oversight role.

To achieve democratic progress, the people based their trust on a defined system of societal ordering which is realized through representative democracy. If we still lack progress and good governance in Nigeria despite the fact that similar countries like, India, Brazil, Singapore, Indonesia have achieved a lot, we should blame not democracy, indeed blame less our leaders, but blame more the people, for with them belongs the ultimate power in a democracy. The legislative arm of government is the crown jewel of democracy, as was already mentioned. Without a doubt, the Nigerian legislature is going through a difficult period right now, as is generally the case in all developing democracies because the executive arm would always choose to function without the legislature. It is imperative to acknowledge that, despite the fundamental concept of the separation of powers and robust constitutional provisions to that effect, not a single executive arm of government globally, including highly developed democracies, aspires to have a robust and stable legislature (Ahmed, 2016). The executive is more content and happy when the legislature is weaker. The people and other democratic institutions are the ones who demand that the legislature be powerful in order to act as the executive branch's watchdog. Certain developed democracies even vote one party in the legislative and another in the executive branch to guarantee an effective balance of power and to provide greater representation and accountability (Ahmed, 2016).

In most democracies and particularly in Nigeria, the goal of the oversight is to make sure that public policy serves the public interest (Obiyan, 2011; Osunkoya & Basiru, 2019). Essentially, the oversight functions of the legislature put the executive in check and carry the balancing effect for good governance. As noted by Aliyu, Amoge and Ayodel (2018) and Adeola (2017), one prominent area of oversight is fiscal policy. It is the duty of Parliament to employ public policy in a way that advances good governance. Legislative process scrutinizes government budgets to guarantee this. However, given its significance to the concept of good governance for the Nigerian state, the National Assembly's performance in carrying out its oversight job has drawn differing opinions, with complaints that they are failing to fulfill their obligations (Abah & Obiajulu, 2017; Yusuf, 2020). Hence, this study appraises the role of the legislature in its oversight function; focusing on it challenges and way forward for the institution meeting with it oversight reasonability by being transparent, accountable, and credible in its operation in this Fourth Republic that was inaugurated in 1999 with over 25 years of experience.

Problem Statement

The paper also outlines the difficulties and future directions for the Nigerian legislature's oversight function. The Fourth Republic, which began in 1999 and spans 2025 years of legislative control, is a time of democratization. Since Nigeria's independence, this is the longest period of democracy in the country's political history (Egbefo, 2015). Considering that the First Republic lasted only five years and three months, the Second Republic lasted only four years and two months, and the Third Republic was still a rebirth, this is a significant development in Nigerian history (Yususf, 2020).

Since the resurgence of democracy in 1999, the legislatures and their oversight functionaries in Nigeria, the study's focus, at both the center and the federation's peripheries, appear to have acted contrary to the principles of horizontal accountability (Osunkoya & Basiru, 2019). Unfortunately, this institutional oversight has faced harsh criticism for how it operates inside Nigerian democracy, mostly because it is thought to fall short of public expectations. In light of this, this article investigates the legislatures' oversight functions in Nigeria's democratic transition. Scholarly publications on legislative supervision in particular and executive-legislature

relations in general have proliferated in recent years (Okoosi-Simbine 2010; Momodu & Matudi 2013; Abah & Obiajulu, 2017; Yusuf 2020). However, while the majority of them may no doubt have enriched literature with illuminating perspectives, yet, scant attention would appear to have been paid to the challenges and solutions context that tends to drive oversight legislative behaviour. The significance of this study is therefore predicated on deepening the discourse in this area.

Theoretical Framework

The Structural-functionalism Approach theory, as advanced by Augustus Comte (1798–1857), Herbert Spencer (1820–1903), Emile Durkheim (1902–1979), and Talcott Parson (1960), was adopted in this work, Legislative Oversight Roles and It Challenges in Nigerian Democracy. These scholars subsequently improved and reformed the theory to make it relevant to contemporary societal realities. According to Haralambos and Heald's (1980) prevailing theory of sociology, society is seen as a system or collection of interconnected pieces that come together to form a whole. Nonetheless, the theory was embraced in political, internal relations, and administrative studies, despite experiencing a notable decline in the field of sociology due in part to criticisms.

According to Onwe, Ibeogu, and Nkwede (2015), structural functionalism is a term used by academics studying politics, administration, and governance to describe how certain behaviors or activities—like the legislature—help to sustain a certain society. Furthermore, functionalism in the context of politics and administration can be defined as an investigative instrument that serves as a way of elucidating the fundamental operations of both administrative and political organizations. It aims to clarify the connections between the pieces (structures) and the total, as well as the interaction between the two.

The fundamental roles of each are used to explain this relationship. Positive roles are those that contribute to the upkeep of the system; dysfunctional roles are those that resulted in the breakdown of the system; and non-functional roles are those that have no bearing on the functioning of the political or administrative system as a whole. As a result, the structural functionalism approach, which is the theory used in this study, analyzes efficient legislative supervision, which should allow for Nigeria to have good governance. According to the methodological basis of the structural functionalism approach, any political system must meet a number of operational and functional characteristics in order for the structure to work admirably.

Legislative oversight is regarded as the government's eye and is essential in any democratic setting because it may be necessary for the Legislature to address some basic needs of individuals and groups, such as the need for effective, efficient, and healthy legislation that promotes good governance. In light of this, laws, customs, attitudes, and individual conduct are all intertwined with society. Moreover, the function of legislative oversight needs to be clearly delineated, with jurisdiction given careful consideration; otherwise, it will be challenging to determine whether the legislature is genuinely authorized by the law (constitution) to enact laws or not.

Since the legislature acts as the "watch-dog" to the other arms of government, we believe that applying this theory to the imperatives of legislative oversight function in the Nigerian democratic system will lead to our conclusion that the legislature's ability to effectively carry out its statutory duties depends largely on its ability to lead with vision. If the legislature fails to legislate effectively, however, the entire system (government) will be impacted.

METHODOLOGY

This study is a descriptive one. Data were collected through secondary source from official documents of the National Assembly, publications of National Institute for Legislative and Democratic Studies, scholarly journal and newspapers' articles, as well as textbooks. They were content analyzed.

The Legislature in Democracy

The legislature in a democracy or any people representative government is the embodiment of the will of the people. The bits and pieces of constituencies congregate to form one unit, representing the entire country in the

parliament. The legislature is far closer to the people than any other elected official who shares similar authority (Ahmed, 2016). Legislators at the federal, state, or municipal levels are unquestionably closer to their constituents than presidents, governors, or local government chairpersons are in Nigeria. In communities accustomed to a single person holding all the authority, the legislature has an impact, even though there is still a strong desire to consider such a scenario. Even under presidents who enter office with a reputation for being Democrats, presidential abuses of power—such as meddling in elections, social institutions, and the media—commonly occur when the legislature lacks strength (Ahmed, 2016).

Legislative bodies are not isolated entities, as their authority is rooted in constitutional democracy. The legislature's essential powers, relationship to other governmental organs, and relationship to citizens are all outlined in the constitution, which also determines the legislature's very existence (Kotia, 2011). The kind of political system specified by the constitution—parliamentary, presidential, semi-presidential, or hybrid—is essential to figuring out the legislature's function in a democracy (Ilufeye, 2010).

Parts of the legislature are a portion of the government in a parliamentary system. There is either no president at all or a mostly ceremonial one, and the Prime Minister is responsible to the legislature and has significant executive authority. Since this system is wary of presidents who actually possess executive authority, lawmakers decide who does. The Prime Minister and his administration, who are directly subject to legislative oversight, are praised for their reliance. Regardless of how strong they may look, prime ministers are subject to their party's control over the majority and are subject to removal should that majority be lost (Ahmed, 2016).

Under a presidential system, the president appoints and is answerable to other members of the executive, while the president is directly elected. The division of powers is one of its key characteristics. It is maintained that the likelihood of significant errors is decreased by having two arms of government—the legislative and executive—each with a separate source of electoral legitimacy. The national will is better embodied by a president who is elected directly by the people than by any legislature or legislator-executive. Furthermore, the president might be able to act more swiftly and decisively as a unified player than the legislature or the prime minister (Alfred & Skach, 1993).

The characteristics of the parliamentary and presidential systems are combined in the semi-presidential, or hybrid, system. Whatever the form of administration, democratic discontent is always exposed by a feeble legislature. When a powerful executive branch confronts a feeble legislative, the situation becomes even worse. According to Nijzink, Mozaffar, and Azevedo (2006), a legislature is weak if it lacks the institutional capacity to have a significant impact on legislation and supervision. Sadly, this is the situation in a lot of Africa's developing democracies. There are significant differences in the level of legislative capacity among African legislatures in various African nations. While the legislature remains weak in some countries, in others it exhibits vigorous activism in terms of checking the executive, contributing to the processes of policy-making, and indeed as a monitor of policy implementation (Ahmed, 2016).

Legislative Oversight

The concept of horizontal responsibility encompasses legislative supervision (Osunkoya & Basiru, 2019). In general, horizontal accountability refers to any form of oversight carried out by state institutions with the intention of limiting arbitrary power and deterring abuses and illegalities committed by the state itself. In a nutshell, it illustrates how the three main state organs keep an eye on and balance each other's authority and actions (Basiru, 2018). Legislative oversight, which is a subset of horizontal accountability, is defined as the monitoring of the executive branch's activities. Legislators can rely on various mechanisms to ensure this, including hearings, calling ministers to account, resolutions of inquiry, special investigatory committees, and the confirmation process (Osunkoya & Basiru, 2019).

Undoubtedly, the legislative branch of government has the authority to hold the executive branch and its employees accountable. It is the process by which a legislative body actively participates in comprehending and observing how the government applies legislation to its other main functions of enacting laws and public policies, establishing budgets, and raising money, according to Osumah (2014). It is being claimed that legislative oversight entails keeping an eye on the executive branch's conduct and actions with reference to

enforcing laws. In addition, as Osumah (2014) points out, it entails investigating any instances of executive corruption and wastefulness.

The democratic regime's growing need for parliamentary scrutiny can be attributed, in part, to the desire for executive responsibility and sound governance. The efforts of local civil society groups and other international organizations demonstrate this. One of the constitutional mandates for guaranteeing accountability, responsiveness, and transparency in democratic governance is the legislature's oversight role (Hamalai, 2014). In a presidential democracy, the legislative restrains the executive arm from abusing its authority and adopting a totalitarian mindset by using its oversight role. As a result, the legislature is a vital component of any democratic government and is crucial to its continued existence. In fact, its presence predates modern democracy. For instance, it has been noted that the beginning of the legislature dates back to the twelfth century and a product of medieval European civilization transformed in the age of democracy to suit the necessities of contemporary political systems (Omotoso & Oladeji, 2019).

Roles and Legislative Process of Nigerian Democracy

Four primary duties are carried out by legislatures worldwide: establishing laws, representing people, providing oversight, and creating budgets. The legislature enacts laws to ensure the polity is run well, represents the interests of the people in the government, supervises the executive arm to prevent democratic tyranny, and protects the treasury by allocating funds for the operation of government agencies. In addition to these, the legislature of each nation carries out other duties that are assigned to it by the constitution. For example, the National Assembly of Nigeria is given investigative powers and obligations under Section 88 of the 1999 constitution (as amended).

The role of a legislator is to represent his constituency at the federal or state level, to make laws and conduct oversight functions over the executive. Part of the role of providing check and balance to the executive is to approve appointment of some key members of the executive and judiciary (Ahmed, 2016).

Rules and procedures controlling the legislative process are taken into consideration. The 1999 Constitution serves as the primary source for legislative procedure in Nigeria. It outlines the National Assembly's authority and bounds when performing its legislative duties (Anyebe, 2016). The second is the Standing Orders of the legislature, which were established with constitutional authority and designed to ensure the smooth operation of the legislative process (Nwabueze, 2003).

Standing Orders, often known as Rules, are declarations that outline how parliament should act in certain situations. However, they do not meet the needs of every situation. Even so, they cannot be ignored or violated, the House can amend them or vote to suspend one or more of them if necessary (Nwabueze, 2003).

Thus, ignorance of legislative practice and procedures is a challenge in Nigeria's legislature that need to be address for effective legislature. Even where huge resources are devoted to training the legislators and their staff, the high turnover rate at the legislature after every election cycle, implies that the training exercise will be repeated. Let discuss the various roles of the legislature as enunciated by Onwe, Ibeogu and Nkwede (2015) and Aliyu, Amoge and Ayodel (2018).

The Committee System: At the legislative level, a committee is regarded as a 'human group' of the entire legislative assembly (Ayodele, 2004). According to Nwuche (2015:13), "a committee analyzes the contents of all legislative instruments, synthesizes them and forwards its findings to the full House for consideration". National Assembly ad-hoc committees are not often chosen based on academic qualification but on longevity in the House, expertise, experience, and contributions on issues at hand. Section 62 (1 - 4) of the Nigerian constitution provides for legislative committees at the National Assembly. The Senate or the House of Representatives may appoint a committee of its members for such special or general purpose as in its opinion would be better regulated and managed by means of such a committee, and may by resolution, regulation or otherwise, as it thinks fit, delegate any functions exercisable by it to any such committee.

The Power to Make Approval: In a way to ensure good governance, especially the one that bequeath

legationary, public trust and recognition, the legislature shares certain roles and functions with the executive in a wide range of subjects. The Legislature scrutinizes and possibly rejects nominees for top government positions by the executive arm. The legislative arm ensures that the requests sent to it by the executive are properly examined, debated before they are approved. Approval of loan credit; ratification of treaties or bilateral agreements between countries; approval to name some significant institution after nationalists; approval to carry out or embark on some policies, especially those that may not have been provided for in the constitutions. Examples of such policies include the banning and facing off of motorbikes in the majority of Nigerian cities and towns; approval of nominees for cabinet and diplomatic positions; approval to commence the establishment of developmental projects and programs.

The Power to Conduct Investigations: The conduct of investigations by the legislative arm is a very good means of not only ensuring, but empowering the legislature to carry out effective legislation. In section 82 and 120 of the 1999 constitution of the Federal Republic of Nigeria, the national and state assemblies have powers to direct or cause to be directed or investigated into: (i). Any matter or thing with respect to which it has power to make laws; (ii). The conduct of affairs of any person, authority, ministry or government department charged with the duty or responsibility for executing or administering laws enacted by the national or state assembly, and disbursing or administering the money appropriated; (iii). To make laws with respect to any matter within its legislative competence and to correct any defects in existing laws; (iv). To expose corruption, inefficiency or waste in the executive or the administration of laws within its legislative competence. The purpose of the legislature's inquiries into subjects assigned to it by law is to make sure that its laws appear to be effective in promoting good governance in the nation. Apart from the mandates of the constitution, it is a well-established democratic tradition for the legislature to look into the nation's good governance. The question is, however, how transparent and successful these investigations are carried out by the legislative houses?

Impeachment: One of the most important constitutional responsibilities assigned to the legislature in the legislative processes, which gives room for good governance to the electorate is perhaps the impeachment proceedings. In view of the fore-going, it is important for us to appreciate the fact that the State House of Assemblies and the National Assemblies (Senate and House of Representatives) can impeach the state Governors and Deputies, the President and Vice Presidents, respectively, as provided by the constitution. The impeachment of the Chief Executives and their deputies is one of the highest sanctions given to these elected officers, which must not be based on sentiments, but on evidence of bad governance. Away from the impeachment of the Chief Executives of the states/the national government and their deputies, impeachment could also be carried on the principal officers of the state Houses of Assemblies and the national assemblies, which included, the speaker and deputy speaker of Houses of Assembly, the speaker and deputy speaker of House of Representatives, the president and the deputy president of the Senate.

Supervision and Monitoring of Projects (Oversight Function): The oversight function, which involves supervising and monitoring government initiatives and programs, is a crucial means of guaranteeing good governance to the electorate. It extends beyond the executive arm to the legislative arm as well, with the latter using constituency allowances to fund trips to constituents in order to oversee and commission projects started and finished by legislators. According to the constitution, the legislature's appropriation act, or budget, gives the executive the authority to carry out development initiatives in the state. In a same spirit, the legislature constantly observes and tracks the executive.

Plenary Debates: Plenary debates are a further means to bring important information to the attention of the executive. In plenary debates, certain mechanisms for conducting oversight are used which include question time, the consideration of committee reports, showcasing, scrutinizing and debating the implementation of policy and budget votes (Ayodele, 2004, Oye, 2018 & Bright, 2018).

Power of Summon and Warrant: Section 89 of the 1999 Federal Republic of Nigeria empowers the National Assembly to 'invite' anybody that is perceived to have any evidence as regards an investigation. This same power also enables the National Assembly to request any document to facilitate an investigation. The section states that the National Assembly has the power to: For the purposes of any investigation under section 88 of this Constitution and subject to the provisions thereof, the Senate or the House of Representatives or a committee appointed in accordance with section 62 of this Constitution shall have power to:

procure all such evidence, written or oral, direct or circumstantial as it may think necessary or desirable, and examine all persons as witnesses whose evidence may be material or relevant to the subject matter; require such evidence to be given on oath; summon any person in Nigeria to give evidence at any place or produce any document or other thing in his possession or under his control, and examine him as a witness and require him to produce any document or other thing in his possession or under his control, subject to all just exceptions; and issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House of the committee in question, and order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his failure, refusal or neglect to obey the summons, and also to impose such fine as may be prescribed for any such failure, refusal or neglect; and any fine so imposed shall be recoverable in the same manner as a fine imposed by a court of law Section 89(1a-b).

A summon or warrant issued under this section may be served or executed by any member of the Nigeria Police Force or by any person authorized in that behalf by the President of the Senate or the Speaker of the House of Representatives, as the case may require.

This power provides sufficient oversight environment for National Assembly. Access to information is important to the exercise of oversight with a view to ensuring compliance with extant rules and legislation.

Oversight as the Major Legislative Roles

The guide to legislative oversight in the National Assembly PLAC defines the term as, “the review of monitoring and supervision of government and public agencies, including the implementation of policy and legislation” Legislative oversight involves keeping an eye on the activities of government agencies especially the executive arm on behalf of the Nigerian people.

Thus, the parliamentary oversight function is one of the cornerstones of democracy. Oversight is a means for holding the executive accountable for its actions and for ensuring that it implements policies in accordance with the laws and budget passed by the parliament. The robust monitoring of the executive by the parliament is an indicator of good governance. Besides, the parliament's legislative function, it is through oversight that the house can ensure a balance of power and assert its role as the defender of the people's interest (Jooji, 2019).

In the main, Omotosho and Oladeji (2019) listed the major legislative oversight functions of the legislature in Nigeria under the following thematic headings.

The Power to Make Approval: To ensure good governance and public trust in the democratic process the legislature is empowered to perform certain oversight of the executive through approval powers of the former over some policies of the latter. For instance, it is mandatory for the President to send the list of nominees for top government positions to the legislature for scrutiny and approval/rejection before such appointment could be made.

The Power to Conduct Investigations: The purpose of the legislature's inquiries of subjects assigned to it by law is to make sure that its laws appear to be effective at promoting good governance. The national legislature has occasionally looked into government departments, ministries, and agencies using this authority. The Buhari-led administration has contested the use of this authority for the first time in the fourth republic in response to the Senate's rejection of the executive candidate to head the Economic and Financial Crimes Commission (EFCC).

The president has disregarded the constitution by retaining a rejected nominee as the head of the EFCC. Also, certain governmental policy proposals must be sent to the legislature which will properly examine and debate them before they are passed into law or otherwise.

The Power to Conduct Investigations: The essence of the legislature conducting investigations on those matters appropriated to it by law is to ensure or make its legislation apparently effective for good governance. The national assembly has from time to time used this power to investigate the departments, ministries and

agencies of government. In recent time, the investigation of subsidy disbursement in 2012, the utilisation of the subsidy re-investment funds and SURE-P fund in 2018 and others are clear examples of the power of the central assembly to investigate the executive organ.

Impeachment as an Instrument to Guarantee Good Governance: One of the most important constitutional responsibilities assigned to the legislature in the legislative processes, which gives room for good governance and constitutes a subtle check on executive excesses and discretion is perhaps the impeachment power.

Supervision and Monitoring of Projects by the Legislature: Another oversight function of the legislature to ensure good governance is through supervision and monitoring of projects and programmes embarked upon by the executive arm of government. Constitutionally, the executive is saddled with the responsibilities of executing developmental projects through the use of funds appropriated by the legislature. On the other hand, the executive is monitored and kept under constant surveillance by the legislature. The legislature is charged to check, raise questions and where necessary directs the executive through the political heads (ministers) of various ministries to appear before the appropriate committees of the parliament or on the floor of the house to defend allegations levelled against their ministries, especially as relates to performance or compliance with the laws.

Effective Representation as a Responsibility of the Legislature: As the representatives of the people, it is expected of the parliamentarians to provide effective representation to the electorates by taking decisions or making laws that are not detrimental to the survival of the electorates.

The Power to Raise and Control the Spending of Public Fund (Budget): In a bid to ensure that government (the executive) performs her statutory responsibility of catering for the welfare of the people, the law empowered the legislature to ensure effective management of public fund. The legislature also has great influence (monitoring and supervision) over the borrowing powers of the state. All these are to ensure prudent management of public fund and promotion of good governance. To be sure, Section 81(1) of the 1999 Constitution provides that “the President shall cause to be prepared and laid before each House of the National Assembly at any time in each financial year estimates of the revenues and expenditure of the federation for the next following financial year.” Also, Section 80(2–4) provides that no moneys can be withdrawn from the Consolidated Revenue Fund or any public fund of the Federation except to meet expenditure for which such funds are meant through Appropriation Act, Supplementary Appropriation Act or an Act passed by the National Assembly. In line with the legislative powers of the legislature to raise and control public spending, section 59(2) of the 1999 Constitution states that where there are differences between the proposal and amendments made by the Senate and House of Representatives, a joint Finance Committee of the two Houses shall be convened by the Senate President, to resolve the differences. The final version mutually agreed to by the joint finance committee must be referred to each of the two Houses (sitting jointly or separately) for approval, before it is sent to the President for assent.

The Challenges of Legislative Oversight

From the foregoing assessment of legislative oversight in Nigeria, it is obvious that a lot still needs to be done by the legislature to ensure and/or promote good governance in Nigeria. However, the oversight function of the legislature is faced with a lot of challenges that must be addressed if the legislature must be able to perform effectively its oversight of the executive and thus contribute meaningfully to democratic good governance in Nigeria. Some of these challenges as enunciated by Omotosho and Oladeji (2019) are thematically assess below

Dysfunctional Democratic Culture: Nigerian democracy is still far from being fully established since occasional signs of a military hangover still exist. It is still uncommon to find basic democratic ideals like the rule of law, free and fair elections, and institutional accountability. As a result, democratic institutions, structures, and culture have weakened. As a result, the public has a tendency to perceive and comment negatively on the legislature, despite it being a major democratic institution. Because of some of its activities, the administration frequently shows contempt towards the institution (Egwu 2005).

Political Culture of Corruption: A natural extension of the previous point is Nigeria's deeply ingrained

culture of corruption, which is a product of the country's protracted military (mis)government. As mentioned before in this chapter, lawmakers frequently prioritize their personal financial benefit over upholding good governance when performing their oversight responsibilities. This implies that as long as the concerned ministries and divisions of government know how to "settle," inquiries into any issue pertaining to governance cannot be thoroughly examined in the best interests of Nigerians.

Interference with Legislative Oversight Functions by the Executive: As observed earlier in this work, the legislature is adequately empowered by the constitution to perform oversight functions and act as the watchdog of the executive. Again, the legislature must screen and approve certain appointees of the executive. The legislature is further empowered to even remove the President, Vice President, Governor and the Deputy Governor through impeachment procedure provided for in the constitution. It is however disheartening to say that the exercise of the above functions to ensure good governance for the benefit of all and sundry is often interfered with and hampered by the executive. This is done, first and foremost, by the executive ensuring that their cronies are elected as the leaders of the two chambers. Executive interference manifests in some covert excessive politicking, and occasionally it deployed the needed funds and logistics to install a pliant legislator in leadership position.

Personal Interests of the Legislators It is common knowledge that a good number of members of the legislative houses at both federal and state levels pursue pure selfish interests that are often at variance with the primary roles. Where personal interest override collective interest, as occasionally seen in the national assembly, the system will be undermined and legislative efficiency will be compromised. The foregoing challenges, amongst others, have largely robbed Nigerians the opportunity of enjoying good governance through effective and efficient legislative oversight of the executive.

There are numerous factors militating against effectiveness of the National Assembly since inception of the Fourth Republic that necessitate the need for institutional reform. However, few and cogent ones are discussed in this paper. These are: Poor capacity of most legislators, poor funding, lack of timeliness in the constitution for the President's presentation of budget, misconception of the roles of the legislature, and inter-organ suspicion and excessive rivalry between executive and legislature among others (Bakare & Bello, 2020).

Way forward

In light of the above, coupled with the reality of the lack of capacity of the National Assembly to perform its legislative oversight functions, the question that looms large now is: how can we re-invent the Nigeria's legislative body towards effective parliamentary oversight of good governance?

Given the challenges confronting effective parliamentary oversight of Nigeria's democracy and the imperative of people's ownership of governance to the consolidation of the nation's democratic process, the re-invention of the nation's legislative body to enhance the performance of its oversight functions for good governance becomes critical.

There is the need for a comprehensive review of the 1999 Nigerian Constitution with a view to establishing people's ownership of the constitution, on the one hand, and to making comprehensive constitutional provisions for effective parliamentary oversight over the nation's governance, on the other hand (Aluko, 2015). This exercise should be carried out with active participation of all the stakeholders, with the civil society playing a pivotal role.

In order to ensure that genuine and authentic representatives of the people emerge, Nigeria should re-imagine its electoral system. This is because the majority of the country's current legislative body was "elected" based on dubious, contested, and contentious elections, which explains the plethora of election-related cases that are heard in various courts during the nation's general elections. Additionally, because the Nigerian judicial system is not impervious to the corruption of the broader society, the true winners of these elections are almost always sacrificed.

As a result, it is impossible to claim that many National Assembly members are true representatives of the

people. Rather than providing ceremonial training at the start of the first session, which barely equipped the legislators with sufficient knowledge about processing bills and scrutinizing the budget, among other legislative responsibilities, the authority and management of the National Assembly should take into consideration providing the legislators with serious and adequate capacity training as well as reorienting them toward effective performance. Instead of happening once every four years, it wouldn't be out of place for the NILS to hold annual workshops, trainings, seminars, and introduction courses (Bakare & Bello, 2020). Furthermore, NILS ought to take a more proactive stance by organizing newly arising concerns, bringing them before the National Assembly, and teaching them about international best practices for resolving these kinds of problems or obtaining professional advice on how to approach them.

The National Assembly, as a matter of urgency, should initiate constitutional amendment of Section 81(1) to stipulate that budget estimate of the next fiscal year should be laid before the National Assembly not later than last week of August of the preceding year. It should be noted that several scholars had earlier called for the amendment of the Section 81 and 82 of the constitution to tackle the lack of timeline and lateness of budget presentation by the executive (Bakare & Bello, 2020).

The quality of parliamentary oversight is also dependent on the knowledge and expertise of members of the legislative committee on defense and security-related issues. "Generally, the ability of the parliament to oversee the security sector is influenced by time factors and the level of expertise and information available to it (IPU-DCAF, 2003: 73). The truth is that "there is a serious shortage of individuals well versed in security matters within oversight bodies in most African countries (Ball & Fayemi, 2008:51). Thus, we should vigorously pursue programmes of deepening the knowledge of the parliamentarians on security related issues with a view to enhancing the performance of their oversight functions over the sector.

In order to generate the necessary data and information regarding the operations of the many federal Ministries, Departments, and Agencies (MDAs), the National Assembly must set up its own autonomous network or apparatus. It is not just unhealthy but sometimes detrimental for lawmakers to rely solely on information and data provided by the MDAs they are supposed to be monitoring. The Presidency's use of Ministries, Departments, and Agencies (MDAs) to supply the majority of the information needed by the legislative body to carry out its oversight duties is unquestionably one of the practices that has contributed to the legislative body's inefficiency and ineffectiveness in carrying out its legislative oversight duties. This is because the MDAs are more disposed to supplying inaccurate information, ostensibly to either impress the National Assembly of good performance or to attract the sympathy of the legislative body for increased budgetary allocation.

The degree of public participation in the governance of the security sector, in particular, and the governance process as a whole must be creatively and productively increased. In the security sector like in every other area of a country's life, good governance is largely dependent on community involvement. People still participate in the government process at extremely low levels, particularly at the local level. This can be partially explained by the inability of the Nigerian government to provide for the majority of its citizens' basic requirements.

CONCLUSION

The method used to keep an eye on those in authority is the legislative oversight role (Nwagwu 2014). Its goal is to reduce public resource mismanagement, corruption, waste, inefficiency, and ineffectiveness in governance. The primary benefit of the oversight function in a democracy is that it guarantees that the executive arm carry out their mandate to enact laws that raise the standard of life for the populace. Thus, to improve legislative oversight in Nigeria, the following are recommended:

There is need to observe and adhere to the basic tenets of the principle of separation of power as provided in the 1999 Constitution of the Federation as amended.

Professionalism and the widely accepted legislative working ethics should serve as the legislature's compass. The ability to discriminate between public and private interests and resources will be crucial in instilling the moral principles that must govern official behavior. Legislative and corporate member interests should yield to

the national interest. Legislative assignments shouldn't be used as means of personal gain for individuals.

The legislators should see their membership in the legislature as a call to national duty which demands sacrifice, commitment to duty, sincerity of purpose in all aspects of governance and a demonstration of the true representatives of the people. Fraudulent enrichment must be abhorred because it is a total negation of social value, ethics of good governance, expectations and aspirations of the electorates.

Legislative oversight should do more than just look at things and make recommendations. In order to provide effective and efficient legislative oversight, as well as to act as a watchdog on the executive arm and its agencies, it is necessary to include constitutional and/or legal fangs that can bite offenders or result in the sanctioning of any determined guilty parties as a deterrence. In order to force the executive arm of government or its representative to appear before the legislature or to take the necessary steps to ensure that any indicted individuals are prosecuted, the legislature should modify the constitution to add some constitutional power.

This is only possible if the legislature can amend the constitution to separate the ministry of justice from the office of the attorney general of the federation.

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