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## LEGISLATIVE OVERSIGHT AND GOOD GOVERNANCE IN NIGERIA NATIONAL ASSEMBLY: AN ANALYSIS OF OBASANJO AND JONATHAN'S ADMINISTRATION

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### Abstract

*The function of every government is to secure all citizens collectively and willingly for peaceful and meaningful co-existence propelled by law and good government. The extent to which efforts of the state especially human beings are effectively and efficiently galvanized towards productive activities for the best interest of the state and citizens determines good governance. Legislation is a product of institutionalized law-making process; it is the most important arsenal from which government derives its laws. The foregoing lends credence to the roles and responsibilities of legislation as a source of law in the society and by implication; legislature is wholly and constitutionally responsible for making these laws. The paper will examine the extent to which legislation promote good governance and sustainable development and analyze, the idiosyncrasies of the law, constitution and constitutionalism in Nigeria, and the extent in which good governance has been promoted through legislation. The task is daunting and challenging as it appear the best navigated by citing concrete illustrations from Nigerian jurisprudence. However, the cry on failure of good governance is sequel to the near state of squalor that citizens have found themselves especially in the developing and underdeveloped countries. Legislation has assumed an enviable position in the governance of contemporary societies such that it can be used to exclude any law emanating from any other source including perceived or real but wrongful interpretation of any legislation*

**Keywords:** Good Governance, Legislature, Democracy, Law Making

## **Introduction**

Legislature serve as essential constituent for any democratic government and major factor in its sustenance, its existence predates the advent of modern democracy. It has been noted that the emergence of the legislature dates back to the twelve century and a product of medieval European civilization transformed in the age of democracy to suit the needs of contemporary political systems (Loewenberg 1995: 736). Boynton (2001:279) states that before and after the 2<sup>nd</sup> world war after colonialism failed, nations grew in number, constitutions incorporate national legislature to replace extant governing institutions throughout the world while their influence of legislature continue to be on the rise in 21<sup>st</sup> century approaches. The popularity of the legislature cannot be divorced from the wave of democratic growth across the continents. Indeed, if democracy is a system anchored on the informed and active participation of the people, the legislature is a vehicle for equal and wider representation (Yaqub 2004). The existence of legislative institution comprises representatives of the people as a hallmark of democratic government from non-democratic ones. The legislature differs in composition from one system of government to another as well as in their mode of representation. For instance, in a parliamentary system, members of the legislature are fused with members of the executive while in the presidential system; the legislature and executive are separated from other arms of government by different individuals to promote good governance. However, the legislators are elected in some countries like Nigeria, while in some other countries they are appointed. In spite of the differences in legislatures across the world, they have a common structural character that distinguishes them from other arms of government in a democracy. The common feature of legislator is their relation between members is not that of authority and subordination but that of equality of members since they derive their authority from being representatives of the people (Saliu 2004). The legislature may exercise different functions from time to time depending on the political system; the two cardinal principles of legislatures in democratic a setting is law making and acting as watchdog on behalf of the people, without which democracy becomes messed up. Odinga (1994) noted that:

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

Consequently, for any democracy to grow, the legislature not only make laws for the good ordering of the society (including appropriation laws) but must as well ensure that such laws and others are not violated by other arms like the executive (Poteet, 2010). This it does this by acting as watch-dog over their policies through its oversight function. Most constitutions tend to document these two important functions of the legislature (Taiwo & Fajingbesi, 2004). In other words, legislatures accomplish their tasks through men and women of proven integrity and good character that eschew temptations of falling to such issues legislated against. It is by this action that the legislature can be considered as a sub-unit of good governance and democratic sustenance. The extent to which the Nigerian legislature has conformed to this pattern shall be

our focus after a background on the current legislative house in red and green chambers at Abuja. The art of lawmaking requires being a thinker, a virile agent of social change and a graduate of legislative studentship. The floor of standardized legislative chamber must be composed of a team of experts renowned in natural and social science disciplines including gurus in various fields like bar, judicial, criminology, security expertise, medicine, pharmacy, sociology, theology, politics, diplomacy, environmental safety, human rights and so on. In Nigeria, it is consistent unchecked executive-legislative-organised labour conspiracy; the nation is plunged to huge indebtedness and high costs of public governance with crude allocation of over 70% annual fiscal accruals for servicing infinitesimal public office holders numbering 17,500 and their daily office attendants, leaving other 170 million Nigerians with paltry 30%. This is why there is consistent dearth of basic necessities of life including necessary infrastructures; this explains why Nigeria is monumentally backward and strife-prone. Nigerian legislative doors must be shut against socially downward and upward quarks that are those who are educated illiterates and uneducated illiterates. There should be a graduate and post graduate level institute established in the country to train prospective Nigerian lawmakers. Nobody should qualify to become a lawmaker be it at state or federal level unless he or she possesses the Institute's certificate. This should be incorporated in INEC's legislative eligibility provisions. To curb the menace of high cost of public governance in the country, all the allowances of Nigerian lawmakers and executive officials both at federal and state levels should be cut by 60% so as to unclthe them of their present international status of "world's highest paid lawmakers" and recover funds traditionally meant for development and empowerment of Nigerians.

### **Methodology**

The nature of this paper is primarily descriptive in the sense that it provides a detailed account of legislative oversight and good governance in Nigeria national assembly, analyzing it in Obasanjo and Jonathan's administration. It is exploratory because the paper attempts the nature of legislative proceeding and law making to address good governance by espousing the investigative stance of exploratory research (Neuman, 2003:30) the paper is explanatory because it attempts to look at the implications of good governance for Nigerians through legislative arm. The paper employ historical research design, it is a system and objective inquiry into events, developments and experiences of the past (Nworgu, 2006:23). In this study, it entails the study of documents that involve pronouncements on legislative oversight. Some public lectures on legislative oversight were studied accordingly, in this regard; the research design involved the systematic analyses of various literatures that were considered relevant to the problem of this paper.

### **Sources and Method of Data Collection and Data Analysis**

The paper depends on secondary sources of data drawn from text books, journals, official publications, conference papers, internet sources and documentaries from the constitution, National Institute of Legislative studies, National Assembly service commission (NASS) were consulted for the paper. The data for this paper were analyzed using the discourse analytic method. Thus, under the discussion of findings section, each discourse is based on some background assumptions presented in form of hypotheses. According to Talja (1997:70), "Discourse Analysis" is an approach which surpasses the dichotomy between subjective meaning and objective reality, as well as the dichotomy between user-centred and system-centred research. It concentrates on the analysis of knowledge information; analysis of data is based on deductions from the issues raised in the paper in the light of available data gathered.

### **Legislature: Conceptual and Theoretical Analysis**

Legislature is referred as parliament in Britain, national assembly in Nigeria, congress in United States (Abonyi, 2006). The legislature occupies a key position in the democratic process of government, with the purpose of articulating the collective will of the people through representative government (Okoosi-Simbine, 2010). Awotokun (1998) states that legislature is an arm of government made up of elected representatives or constituted assembly people whose duty is to make laws, control the activities of the executive and safeguard people's interest. Anyaegbunam (2000) define legislature as the role of making, revising, amending and repealing laws for the well being of its citizenry it represents. Lafenwa (2009) defines legislature as people chosen by election to represent the constituent units and control government. Okoosi-Simbine (2010) asserts that legislature is law-making, and policy influencing body in the democratic political system. The law makers can be described in the site of sovereignty, the expression on the will of the people. This is derived from the people and should be exercise according to the will of the people they represent. Bogdanor (1991) affirms that legislature is derived from a claim that its members are representative of the political community, and decisions are collectively made according to complex procedures. The state of the legislature has been identified as the strongest predictors on the survival of every democratic development (Okoosi-Simbine, 2010). The centrality of the legislature is captured by Awotokun (1998) when he asserts that legislature is the pivot of modern democratic systems. Edosa & Azelama (1995) states that legislatures vary in design, structure, organisation, operational procedures, and selection process as well as sizes, tenure of office and nature of meetings.

In a bicameral type of arrangement two legislative chambers exist in a country; one chamber seems to dominate the other. Nwabueze and Mueller (1985) noted that when they viewed that there exist some forms of dominance of one chamber to the other in some legislation, term of office, size of the constituencies represented. However, they intricate rules adopted usually harmonize the legislative function of the two chambers (upper and lower chamber). Edosa and Azelama (1995) assert that bicameral legislative is common in federal states that stem from the imperative of one house to protect the interests of minority groups in such states. Nigeria operates in a federally bicameral arrangement on the dictates of 1954 Lyttleton Constitution. The House of Senate (Upper House) and House of Representatives (Lower House) jointly called National Assembly of Nigeria. The two chambers act as a check on other arms of government; such checks are minimal because the major policy demand debate is on party affiliations rather than national interest (Edosa & Azelama, 1995). This arrangement enhance passage of law and gives opportunity for division of labour between the two houses (Okoosi-Simbine, 2010). In addition, bicameral legislature provides an opportunity for wider representation of various interests groups in a country from one democracy to the other. Nwabuzor and Muller (1985) notes that such factors like presiding officer, order of business, legislative process, legislative committee, intra-party discipline manner of debate consideration account differently among countries. Nwabuzor and Muller (1985) assert that countries that operate short-term tenure for legislature do so because the representatives reflect on the betterment of public preference in respect of government policy. The long-term tenure ensures the stability of national interests which has no changing public opinion.

**Good Governance:** Good governance is characterized by participation, rule of law, transparency, responsiveness, equity, inclusiveness, effectiveness, efficiency and accountability. According to Doornbos (2001:94) state that good governance is used to invite judgment about

how the country concerned was being governed: it enabled the raising of evaluative question about proper procedures, transparency, quality and process of decision making, and other such matters. In fact, it differentiates the actual self-understanding of the ruling groups from their real causal contribution to the prosperity or misery of their subjects (Chabal & Simbine, 2000). Actually, for Eyinla (2000:22), good governance means accountability, security of human rights and civil liberties, devolution of powers and respect for local autonomy, which all constitute a challenge to democratic regimes. Moreover, good governance has been linked to 'the extent which a government is perceived and accepted as legitimate, committed to improving the public welfare and responsive to the needs of its citizens, competent to assure law and order and deliver public services, able to create an enabling policy environment for productive activities; and equitable in its conduct" (Landell-Mill and Seragelden, 2000:17).

The World Bank defines governance as a means where power is exercised in the management of country's economic and social resources for development and good governance for sound development management (Potter, 2000). It encompasses a broad sphere of public sector management; accountability and legal framework for reforms; information and technology; legitimacy of government; competence of governments to formulate appropriate policies, make timely decisions; implement them effectively and deliver services (Potter 2000:379). Good governance is pivot to a successful democratization and development. The basic tenets of good governance must be well institutionalized and internalized, in the management of resources; the goal of development is assured. Davis (2003:1) assert that an exercise for the management of national socio-economic development in an environment devoid of rancor, ill will, strife, struggle and disdain. It is a sine qua non to achieve oriented goal with an overriding need to frontier the welfare of government to the governed. Good governance in Nigeria entails stability as the propensity for political and economic plurality to enhance electorates' choice.

### **Functions of the Legislature**

Legislation functions are the primary and the most crucial role of the legislature (Edosa & Azelama, 1995). Laski (1992), states that the responsibility for passing laws and lay down the general rules to enhance good governance for state. These laws may originate as private members bills, or they may originate from the executive branch (Benjamin, 2010). Awotokun (1998), opine that laws made by the legislature must be in the interest of the general populace with the expectation of modifying peoples' behaviour and response towards a given situation, be of good quality and self-sustaining. Abonyi (2006) assert that bills is examined and passed through various stages, and in the process this could be altered by addition or deletion. However, the inputs of the legislature is the attitude of the executive and other factors such as concessions to the opposition and other groups against some aspects of proposed laws greatly reduced the legislative powers to a mere deliberative assembly. Heywood (2007) stated that the twentieth century witnesses a progressive weakening of legislation power in the form of a decline of legislatures. This situation had reduced many legislative assemblies to mere "talking shops" that do little more than rubber-stamp decisions that have effectively been made elsewhere.

**Oversight:** The oversight function is a major component of the activities of modern legislature irrespective of the form of government in practice. NDI (2000), states that the function of oversight is to wield enormous powers in governance by executive arms. Saliu and Muhammad (2010) indicate that legislative body takes active role in understanding and monitoring the performance of the executive arm and its agencies. It is described as surveillance on the activities of the executive arm. The legislature oversees government affairs and holds the person

responsible for any actions and omissions (Fashagba, 2009). Adebayo (1986) reveals that legislative oversight cross-check the executive by examining the activities of some chief executive, ministries, department and agencies of government. The commonwealth parliamentary association (2002) assert that the principle behind the legislative oversight ensure that public policy is administered in accordance with the legislative intent. The legislative function does not end only on the passage of bills but to follow the activity linked to lawmaking. It is the responsibility of the legislature to ensure that such laws are being implemented effectively. The representative looks diligently in all the affairs of government, the eyes and voice to the will of its constituents (Simmons, 2002). The oversight function of the legislature exists as a corollary to the law-making process for instance the legislature controls the executive in financial behaviour and appointments of key officials such as ambassadors, ministers/commissioners amongst others. Lafenwa and Gberevbie (2007) assert that effective legislature in governance enhances transparency, accountability, efficiency and fidelity in government.

**Representation:** representation is the central role of the legislature; the complexity of modern administration has made it impossible for the people to run the affairs of the state as it was in the early Greek City-States (Awotokun, 1998). Legislative institution is a mechanism in which the population, special interests and diverse territory are represented and guaranteed at the scheme of things. Edosa and Azelama (1995) argued that representative function provides a platform where citizens and different group is opportune to have a say in governance. This gives different groups in a society or groups the opportunity to articulate and advance their interests and concerns. Roberts (2002) states that representation play dual roles. First, they represent their people to government, and second, they represent government in their constituency. Saliu and Muhammad (2010), states that the fulcrum of a legislature articulate and aggregate diverse interests of the represented constituencies into the policy process. The functions of representation enhances the legitimacy of public policy, reduces alienation and reduce estrangement between government and the governed to enhance stability in the system (Edosa & Azelama, 1995).

**Financial Function:** involves an authorization of expenditure for government. Sanyal (2009) states that all government expenditure needs to be scrutinised and sanctioned by the legislature, this can be done at annual budget process. Lafenwa and Gberevbie (2007) assert legislative function as a catalyst for sustainable democratic governance. The legislature involves in the control of public expenditure and taxation and fund management to better the life of the entire citizens.

**Committee Function:** Heywood (2007) sees committee functions as the power houses of the legislature; they examine legislative measures in detail. The committees oversee bills and financial demands of the government, and issues relating to ministries and financial function of the government as it concerns auditing (Edigheji, 2006). The legislative committees' functions carry out the investigative power of the legislature. The standing committees of the legislature are divided and utilized for exigency purpose, this is appointed in response to a particular development on ad hoc situation (Fashagba, 2010). The legislature is the people's branch with the purpose of expressing the will of the people. The instruments and opportunities of the chief executive is responsible for managing the machinery of government, inter-state diplomacy, budget development and this veto power makes the chief executive an advantage over the legislature and hence continues to exert the executive dominance (Rosenthal et.al., 2003).

Burnell (2003) states that legislature experience secular decline, unable to arrest the accumulation of executive power driven by global financial, economic and political forces. Ray (2004) asserts that legislatures have declined in respect of powers in relation to the executive power of governments. Adebo (1988) revealed that the legislators in Nigeria's 2<sup>nd</sup> republic spent part of their tenure on the issues of accommodation, comfort and salaries for members and threatened to boycott sittings indefinitely if their demand for luxury were not met by the government (Fashaga, 2010).

### **An Assessment on the Performance of the Legislature since 1999 till date**

Admittedly, the legislature has gone through thick and thin since the beginning of the present democratic governance with the aim of evolving an enduring legislative culture, it cannot be said confidently that all is well with legislation institution. Frequent changes in the membership of the house during elections, inexperience and ignorance of legislative proceedings often displayed by newly-elected members, leadership tussle and frequent changes in Section 4(3), and (7)(a) and (b) of the 1999 constitution. The clear provisions of the constitution on the division or demarcation of legislative powers are to prevent conflict as much as possible.

Frequent changes of leadership of the two houses are one of the reasons for the general lethargy in most of the Legislative Houses. The leadership of the legislative houses is a clog in the wheels of good governance that would have been occasioned by legislation. Since the inception of the National Assembly in 1999, it has passed into law 195 Acts while presently, the Senate (Upper House) has 189 bills that are pending and are in various stages. There are about 1101 bills that are pending before the House of Representatives (Lower House). It may not be heartwarming that only 195 acts were passed by the national assembly in twelve (12) years, the figure has only exposed the legislative inertia that characterizes the legislative business in Nigeria. It has largely been observed that the first four years were spent resolving its internal squabbles and changing leadership. The passage of bills through the Houses is hectic and burdensome. It takes years for bills to move through the houses before they are passed and this trend is largely responsible for the frightening number of bills that are still pending before the two houses of the National Assembly.

It is however gratifying to put on record that the National Assembly made giant strides in enacting into law some Acts which are meant to promote good governance in line with the principles of constitutional democracy that holds sway in the country. Acts in this enviable category like Economic and Financial Crimes Commission (EFCC) Act, the Independent Corruption and other Related Offences Commission (ICPC) Act, Niger Delta Development Commission (NDDC) Act, Freedom of Information (FOI) Act but all are toothless bull dogs.

The financial recklessness of the houses and lack of decorum in which the activities are conducted have smeared the image of the legislature such that one begins to wonder whether or not its role is supportive for good governance. The leaders of the house have been accused and indeed impeached for financial scam while on a number of occasions; the law-makers had resorted to self-help on the floor of the house to settle issues of serious legislative importance (Dunmoye, 2005). While commenting on the need for decorum in legislative business a learned author had this to say that from 1999 to date, both the Upper and lower Chambers have legislated for the good order and development of the polity. However, Nigerians have also viewed their activities with ambivalence because of their acts of omission and commission. On those occasions when the lawmakers became law breakers, the National Legislative reputation was

smear. While it is not entirely incorrect to argue that the present National Assembly seems to be more stable, focused and purposeful under its present leadership, it is not dubitable that it is not yet “uhuru” with the legislature that has the responsibility of shunning out laws for good governance of the country.

It is true that the legislature by constitutional right approve budget submitted by the executive arm of government before it becomes law. In carrying out this function, they have the right to either step up or step down any estimate submitted to it, based on the reasonability of such figure vis-à-vis that is appropriated for. Thus, the National Assembly has the right to appropriate to itself whatever amount it deemed fit, for its services, salary, allowances (recurrent) expenditure, as well as for capital expenditure. But this power should be used judiciously in the interest of the people. In view of our yardstick for measuring the performance of the legislature as exemplified by the National Assembly, from available fact, the legislature has failed the nation in these areas of effectiveness and quality. For instance, on the floor of the House of Representatives on February 19, 2009, the speaker, Dimeji Bankole, condemned his colleagues for being “unserious” with their legislative work, declaring that their performance was unsatisfactory. In his words, on February 18, 2009, we had passed 21 bills in this House, with eight reports considered since inauguration on June 4, 2007. Already three have been considered, but this is below the target. Again, on May 11, 2009, the late President Umaru Musa Yar’Adua slammed the house, lamenting on the appropriation bill, had been passed five months of that year. (Nation, May 10, 2011:18).

The National Assembly had passed several other bills before the close of business on 29th May 2011, but the speed with which such exercise were carried out leaves much to be desired. The National Assembly is found wanting economical in the use of tax payers funds in the discharge of its legislative duties. The funds are appropriated without recourse to the cry of the poverty stricken majority of people. There are 109 senators, 360 members of the House of Representatives, making a total of 469 members of the National Assembly. There are 990 members of the 36 State House of Assembly. The total legislators in Nigeria today are 1459. According to Aluko (2006), the actual recurrent expenditure on the 469 National Assembly members was N51.6billion or N110 million per member. It is estimated that in 2010 it will rise to N118.9 or N253 million per member. The actual capital expenditure on the National Assembly in 2008 was N15.6million or N33.3million per member. The total recurrent and capital expenditure per member in 2008 was thus N143.3 million. It is expected to rise to N294.3 in 2010. There are 990 members in the 36 states Houses of Assembly. The actual recurrent expenditure in 2008 was N45.5billion or N46million per member. It will rise to N52.5 billion in 2010 or N53million per member. (Aluko, 2010, Nation, March 4, 2010).

On November 28, 2010, at Igbinedion University, Okada, Edo State, the Central Bank of Nigeria Governor, Lamido Sanusi, revealed that 25 percent of the Federal Government’s expenditure on overheads is consumed by the parliament. Prof. Itse Sagay provided facts and figures on the ridiculous salaries and allowances of the federal lawmakers. According to him, in 2009, a senator earned N240 million in salaries and allowances, while his House of Representatives counterpart earned N203 million. In sharp contrast, a United States senator earns \$174,000 per annum, while a British parliamentarian earns \$64,000 per annum (Punch, Tuesday 10, 2011:18). This package was applicable to Nigeria’s sixth National Assembly (2007 – 2011, May 29). But due to pressure from the National Assembly for increased remuneration for its members (Senate and House of Representatives), an upward review of these salary and allowances was effected from



July 2009, in line with remuneration package for political, public and judicial office holders approved by the Revenue Mobilization, Allocation and Fiscal Commission (RMAFC). This was to be applicable to the 7th National Assembly (2011 – 2015). The schedule is hereby presented.

### **Challenges of Law-making in Nigeria**

The foregoing analysis of the score card of the legislature in Nigeria shows that a lot needs to be done by the legislature to ensure or promote good governance in Nigeria. The law-making process is beset with a legion of challenges that need to be addressed squarely for the legislature to be truly independent of the executive and achieve the much-needed succor for Nigerians through legislation. The challenges include the following:

#### **Lack of Established Democratic Culture**

The Nigeria's fledgling democracy is at its infancy, the debilitating effect of prolonged military rule in Nigeria has produced negative consequences that continue to haunt individuals and institutions in Nigeria. The legislature is not an exception. The legislature today is truly not independent of the Executive and therefore, is often incapacitated from acting as the watchdog of executive activities (Egwu, 2005). Thus, the inordinate ambition of members and leadership of the legislative houses often sees them hob-nobbing with the executive such that valuable time for law-making is lost in the process of lobbying for juicy leadership positions and committees in the legislative houses.

#### **Corruption and Nepotism**

Corruption and nepotism have been the bane of public life in Nigeria. It is often rumored that bills hardly sail through the legislature until members have had their hands greased. The implication of this, therefore, is that debates on such bills either at the plenary or committee levels cannot be subjected to thorough scrutiny in the best interest of Nigerians who are the objects of such bills eventually when they become laws (Ejere, 2004). It is not too gratifying that such primordial and mundane issues have roles to play in passage of bills into law.

#### **Personal Interests and Ambition 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 often inhibit them from combating the challenges of law-making. Members pursue contracts from the leadership of the houses and even from the executive such that they easily compromise when it comes to contributing meaningfully to debates on the floor of the house. At times, some members resort to absenteeism from the floor of the house and do not participate at all in the proceedings. Again, many of the legislators have ambitions to contest for leadership positions in the house or membership and chairman of juicy committees. A lot of valuable legislative time is wasted while pursuing these ambitions. That Nigerian's democracy is at its infancy cannot be contested when one considers much more advanced democracies that have existed for hundreds of years. Non-independence of the legislature often manifests in unholy relationships between the leadership of the two arms of government aimed at helping one or the other to be perpetuated in power (Oyewo, 2007).

#### **Interference with Legislative Oversight Functions by the Executive**

The legislature is given a lot of powers in 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 function 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 those houses through excessive politicking orchestrated and funded by the executive. Again, where the legislature musters enough courage and ventures to carry out any of the oversight functions, the executive often resorts to the use of money to pursue a “divide and rule” agenda to break the rank and file of the legislators. The effect of the game is that good governance is denied to Nigerians who are entitled to have same (Aiyede, 2005). The foregoing challenges, amongst others, have largely robbed Nigerians the opportunity of enjoying good governance through forensic and good laws aimed at transforming the political and economic landscapes of Nigeria.

### **Discussion of Findings**

**Table 1. Budgetary Allocation for Senator and House of Representatives from 1999-2009**

<b>Year</b>	<b>Recurrent</b>	<b>Capital</b>	<b>Yearly Total</b>
1999	3,164,009,471.00	228,554,000.00	3,392,563,471.00
2000	3,750,646,870.00	1,808,983,84	5,559,630,714.00
2001	15,488,000,000.00	12,000,000,000	27,488,000,000.00
2002	22,661,939,230.00	5,500,000,000.00	28,161,939,230.00
2003	23,347,116,582.00	4,942,940,000.00	28,290,056,582.00
2004	32,229,324,335.00	2,500,000,000.00	34,729,324,335.00
2005	49,895,731,049.00	5,536,726,509.00	55,432,457,558.00
2006	49,530,743,5883.00	5,254,946,862.00	54,785,690,445.00
2007	59,806,588,124.00	6,594,279,159.00	54,400,867,283.00
2008	96,975,333,760.00	15,597,453,761.00	112,572,787,521.00
2009	101,392,333,760.00	5,250,000,000.00	106,642,333,760.00

**Source:** Revenue Mobilization, Allocation and Fiscal Commission

From the table above, a senator earns an amount emolument of N8,206,920, while a member of the House of Representatives takes home N6,352,680 per annum. The cumulative emolument of a senator for the four years will therefore come to N32, 827,680. In addition each of the 109 senators is expected to pocket another N11,145,200, in allowances described by the Revenue Mobilization Allocation and Fiscal Commission (RMAFC), as non-regular, usually collected by members at the beginning of the tenure upfront. The annual emoluments comprise the basic salary which is N2, 026,400 for a senator, and N1, 985,212.50 for a member of the House of Representatives. There is also a number of regular allowances for vehicle maintenance, fuelling, personal assistant, house maintenance, domestic staff, entertainment, utilities, constituency allowance, newspapers and periodicals. The non-regular allowances include accommodation of N3,039,600 and N3,039,600 for furniture per senator; vehicle loan N5,066,000, and an annual leave grant of N202,640 or N810,560 in four years. In the House of Representatives category, a member is entitled to N6,352,680 as annual emolument or N25,410,720 in four years; in addition to a non-regular allowances of N10,918,668.75 collectible at the beginning of the tenure upfront. There is also a leave grant of N198,521.25 year which translates to N794.085 in four years. The non-regular allowances includes an accommodation of N2,977,818.75, and N2,977,818.75 for furniture. The vehicle loan is N4,963,031.25. There is also a severance/gratuity approved for members at the end of their tenure thus: Senate President – N7,452,727.50; Deputy Senate President N6,927,500.25, while other Senators will earn N6,079,200. But for the House of Representatives, the Speaker will earn N7,431,330; Deputy N6,861,102.75; while other members will earn N5,955,637.50. It is not only at the national level that the Nigerian legislature is beset

with slowless of action. Law making will be a moot when legislatures have turned to be leg-is-looter and as well represent-a-thieves (Adeyeye, 2010).

### **Conclusion and Recommendations**

The inevitable conclusion from the foregoing analysis of the legislative oversight and good governance in Nigeria national assembly reveals that the legislature has not lived to the expectation of Nigerians in terms of making laws that will guarantee good governance for the benefit of all and sundry. The legislators, as has been shown, have not demonstrated enough patriotism in support of Nigeria's fledgling democracy. Majority of the members are driven more by selfish desires of wealth accumulation than the patriotic desire of leaving enduring legislative legacies by taking cue from other advanced jurisdictions of the world. To bail this democracy from the doldrums and put it on the glorious path of sustainable development, the following recommendations are worthy of consideration.

First, the legislature should be insulated from the influence of the executive, this influence, in most cases, is counter-productive as it is meant to sway the minds of the legislators from the serious business of law-making. For example, the House of Representative leadership is under pressure to water down the report of the Committee probing N1.3trillion oil subsidy or dump the probe altogether for fear of indicting some perceived powerful people in government. The probe panel under the leadership of Alhaji Farouk Lawan had insisted on submitting the report first to the House.

Law-makers should be more responsible and responsive to their responsibilities. The excuse that is often given that bills take time to go through the legislature because of lack of quorum is not tenable anywhere in the world. A solution to this ugly trend may be to make the salaries and allowances payable to the law makers vary directly with the number of times they participate in the proceedings at the floor of the house.

The leadership of the house should be more financially responsible. Award of contracts should follow due process and be carried out in a transparent manner. This will prevent the ugly scenario that was painted recently by the allegation of contract manipulation leveled against the immediate past Speaker of the House of Representatives, Dimeji Bankole.

The business of making good laws to ensure good governance requires paying attention to details and obtaining as much information as possible on the subject matter of the bills before they are passed into laws. It may therefore not be possible to suggest a time frame within which a bill must be passed, but it is suggested that the committee system through which details of bills are vetted should be more strengthened to reduce the ugly incidence of bills pending before the legislature for years.

It is a truism that some law-makers display such an embarrassing level of ignorance of the legislative process such that one is compelled to wonder if such persons could contribute meaningful to the process on the floors of the legislative houses. It is therefore recommended that a regime of training and retraining should be put in place to educate the law-makers on the business of law-making in the best interest of Nigerians that have elected them.

Finally, it is a common knowledge today that many Nigerians do not have implicit confidence in the political process and such are not willing to invest their time and money in it. The process is bedeviled with corruption, nepotism, thuggery, God-fatherism and chicanery to mention a few. The effect of this is that the process in some cases has produced charlatans, nit-wits, booth-lickers, shenanigans and political jobbers. The presence of these shades of characters in the corridors of powers derogate from the notion of good governance. It is the suggestion that this process be overhauled and revamped for purposeful and result-oriented legislation that would

guarantee good quality of lives for Nigerians and in the ultimate promotes good governance. This is the only way this present culture of perfidy, insincerity, deceit and corruption in governance can be tamed for the benefit of Nigeria and Nigerians. 31 He was arraigned by the EFCC for corrupt enrichment. There are bills that have been pending before the various Legislative houses for about five years and have not passed the first reading stage. Examples of these are Nigerian Social Welfare Commission (Est.) Bill, Widows and Orphans Protection Commission Bill, 2008.

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