

## Growing the Legislature in the Governance of Nigeria

I have watched and read on various social media platforms the celebration of "performing" and "achieving" legislators at all levels of the legislative arm of government by their supporters, promoters, favour-seekers and/or commissioned agents. This development, no doubt, is in the preparation for "performing" and "achieving" legislators to seek the renewal of their existing mandate and/or new higher office.

This begs the question: what is the role of the legislature and legislator in governance? By governance I am adopting the World Bank's definition as the effective and efficient utilisation of human and material resources for the benefit of Nigerians. What roles have the legislatures and legislators played and are playing in governance since 1999?

These questions become necessary as Nigerians watched the degeneration of the legislatures on the one hand and on the other hand the tendency of sections of Nigerians spurring them on in clearly the area that is not their schedule.

The short, medium and long term implication is the mis-education and thus faulty socialisation of most Nigerians on the roles and expectations from the legislatures and legislators. This is in view of the chequered history of democracy in the country.

To wake the legislators up on their roles and educate and grow most Nigerians to knowing and understanding these roles are important processes in the building of democracy and in the democratisation of persons and institutions.

Unless we play the role of reminding persons saddle with specific responsibility to perform their task and use every medium to educate and sensitise the general population correctly, democracy will suffer and with it the rest of Nigerians. Performing this task is the antidote to authoritarianism whether in a democracy or in the return of military rule. The "performance" or "achievement" of these legislators showcased by sections of Nigerians with access to social media and some education is common on the Facebook media.

What are the "performance" and "achievement" of these legislators?

They are NOT in the making of laws as policies to engender governance. They are NOT in the reviews, updates and amends of archaic and deficient laws as policies to engender governance. They are NOT in the oversight of ministries, departments and agencies of the executive saddled with implementing new laws and/or reviewed updated and amended old laws in order to engender governance of the public sector.

The "performance" and "achievement" are in the building and/or renovation of blocks of classrooms and hospital wards. They are in the distribution of motorbikes, tricycles, cars and sewing machines as empowerment to their constituents. They are in the provision of electricity transformers, poles, wires etc. to their constituencies. This is the schedule called constituency projects that is replacing law making and review as the function of the legislatures and legislations in the psyche of most Nigerians.

The would-be legislators heralded this view of their work in speeches and images as they campaign amongst their constituents for this position. They promised to build roads, hospitals and schools rather than facilitate the building of roads, hospitals and schools with their legislations and oversight task. They wasted the opportunity to promote and distinguish their role in the governance process by undermining the legislature and legislation and promoting the role of the executive. They missed the chance to educate their constituencies on law making, law review and oversight functions.

One of the victims of the hiccups in governance occasioned by prolonged military rule in Nigeria is the legislature and legislation. This is because military rule begins with the complete takeover of the legislature by the executive. The consequence of this development include the larger than life presence of the executive in the consciousness of Nigerians, the underdevelopment of the legislature amongst the arms of government, the inability of the legislature to establish their relevance in governance and in the minds of Nigerians, the seeming contest for space with the executive and the blurring of the line between the legislature and the executive in their duties.

Since the restoration of civil rule in 1999, the legislatures at all levels have been struggling to be heard and to make Nigerians reckon with them. There were golden moments that should have served as opportunity for launching the legislature into the consciousness of most Nigerians. These moments were wasted on the altar of tactics rather than strategy by the legislators. One of this was the attempt by President Obasanjo to seek a third term.

Most of the persons elected into the legislatures lack the understanding of their role and have sought to latch on the executive role as provided for them by the constituency projects on the one hand and on the hand their oversight function. The making and review of policy legislations and oversight functions are two very crucial roles that if properly handled should put the legislators and their work as important to most Nigerians.

There are hundreds of laws at the federal, states and local councils' levels that are outdated and require review, update and amend to make them address present realities. There are new areas of their communities' affairs that have not been covered in policy legislation. The implication of this is that there is plenty for the national, states and local councils' assemblies to accomplish in the effort to enhance governance.

There are hundreds of ministries, departments and agencies of the executives at the federal, states and local councils levels saddled with implementing policy legislation that are subject to the legislatures' oversight to determine their level of operation in meeting the needs of the people.

From the point of view of making new laws, reviewing, updating and amending existing laws and the oversight of ministries, departments and agencies, the legislators have their work cut out for them to want to meddle in the work of the executives.

In these two areas, the legislatures have underperformed significantly since 1999. The evidence for this is the state of governance all over the country. In terms of legislation, what we find the legislators doing is going after populist legislations and/or copying other cultures legislations without regard to difference of history, sociology and politics.

The hard work of evolving new policy areas into legislations that will improve life and livelihood of their constituencies have been relegated to secondary position. This also applies to the issue of old laws in various areas of human endeavours. There are laws in the exclusive list that should be moved to the concurrent list and reviewed, updated and amended to create fresh opportunity and unleash creativity on the part of the implementing authorities. The legislatures lack the interest to do this even as they have been fully motivated and resourced to carry out this task effortlessly.

Let me provide one example in the area of evolving new policy legislation and/or wrapping existing practice outside policy radar in policy legislation that reflect the yearnings and aspirations of most Nigerians. "Security" is one among the many examples of issues not captured by policy legislation.

"Security" has never been covered by policy legislation that answers the questions what is security, whose security, what is a security issue and how can security be achieved in the history of Nigeria. Yet there is a prevailing practice described as "security". This "security" is not covered by the constitution or any law in the country. The enthronement of representative rule in 1999 has exposed the policy and practical deficiency of this "security" practice. Thus "security" failed, is failing and will continue to fail. The failure of "security" requires the intervention of the legislatures.

There has not been movement in the direction of legislative surgical incision that "security" need. Instead the legislatures joined the executives in recycling strategy for "security" that at best derive its policy from the schedule of the military, intelligence and law enforcement institutions of the executive and at worst playing the tactical game of advancing their pecuniary interest of feeding fat on the fund allocated to this "security". Funds have been

allocated to this "security" since 1999. Fund is being allocated to this "security" since 2015. The fund represent significant portion of the country's annual gross domestic product to require investigating and interrogating this "security" by the legislatures. The point to note on the issue of this "security" is:

"if the military define security within their job description of defence, how should the elected political class define security? Should the political class not define security within their job description of governance that encompasses most things beginning with the foundation of security, the economy? Should the political class not follow the security type advocated by Anthony Burke that 'security should not be seen as one good among many. Security should be the good that guarantees all others'. Should the Nigerian political class define security in the context of their difficult experience in the hands of the military as the quid pro quo that security is today? Where is the difference between the elected political class and the military class in the definition of security? Of the political and military class, who should own and drive security today?"

The work of monitoring new policy legislations and reviewed, updated and amended legislations which the oversight of implementing agencies afforded the legislatures of performing have been transformed into areas of personal and group enhancement at best and witch-hunt of the executive at worst. This exposes the legislature as weak and weakening with every passing of time resulting in negative publicity and perception among the Nigerian public.

The infrequent embarrassment the legislature suffered in the hands of members of the executive in ministries, departments and agencies tells on their ability to perform their task of legislation and oversight. Some of these included the refusal of the so-called "security" chiefs to honour invitation to the House of Representatives and the face-saving statement by the Speaker that he will report them to the President; the walk out staged by the interim management of the Niger Delta Development Commission (NDDC); the allegation by the Minister of Niger Delta that members of the legislature were the beneficiaries of the NDDC contracts and the interventions of the Chairman of the Committee and later the Speaker to hush the process down. In their entire history in this Republic, the legislatures have been fingered in numerous malfeasances in their oversight task. This has hampered their ability to conduct regular public hearings even as the need for this is overwhelming.

Any legislature worth its name should be curtailing the mess evident in the discharge of the executives' duties of implementing laws for the governance of the country. The legislators have legislation and oversight schedule to rein in the executives. They cannot accomplish this if they are part of the mess and/or would rather be the implementing authorities instead of the policy legislation making and oversight authorities.

There is every need to discourage the enveloping psychology and sociology of executive mindset prevalent among the legislators and among most Nigerians if we are to grow persons and institutions in the democracy way.

We all owe ourselves the obligation of changing this attitude in the way we intervene in matters affecting the functions of the legislature, executive and judiciary. We must educate ourselves and other Nigerians to know the work of the legislatures and the role of the legislators to improve governance.

We should showcase their performance in their contribution to making new policy legislation, reviewing, updating and amending old policy legislations in tandem with prevailing realities and in the oversight of ministries, departments and agencies of the executives to improving governance and thus wellbeing or security of their constituents.