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THE ROLE OF LEGISLATURE IN PROMOTING GOOD GOVERNANCE IN NIGERIA

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1. Introduction

In every democratic nation there are fundamental principles that form the foundation of good governance. In virtually all democratic system, there are three basic arms of government, namely the legislature, executive and the judiciary. The primary role of the legislature is to make laws, the executive implements or execute such laws and the judiciary interprets the laws. This system of government it is argued provides safeguard against concentration of too much power in a single authority. While stressing that tyranny results when all the three branches of government are concentrated in one branch, Montesquieu said: 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 posses the power of another branch (Okoro, 2017). Thus, certain principles guide operations of the three arms so as to avoid encroachment into the realm of others as well as ensuring accountability. Such principles are separation of powers and checks and balances. Each arm of government performs defined functions and serves as watchdog of the others. These various arms of government perform complimentary roles, all working together to promote the rule of law and to ensure that the citizens of a nation enjoy good governance (PLAC, 2016).

In the light of the above established doctrine of separation of power, most constitutional democracy enshrined this principle in the organic law of the land. Similarly the Constitution of Federal Republic of Nigeria 1999 (amended) provided for division of power amongst the legislative, executive and judicial arms of government in sections 4, 5, and 6 respectively. In other to meet the socio-economic needs of the people and to ensure good governance, there is the need for checks and balances amongst the various arms of government (Okoro, 2017). The state of the legislature has been identified as the strongest predictors on the survival of every democratic development (Okoosi-Simbine, 2010). Legislature serves as essential constituent for any democratic government and major factor in its sustenance. Its existence predates the advent of modern democracy. It has been noted that the emergence of the legislature 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).

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 (Ewuim et al, 2014). 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 that the relationship among members is not that of authority and subordination but that of equality of members since they derive their authority from being representatives of the people (Saliu and Muhammad 2010; Ewuim et al, 2014).

It is widely acknowledged that an effective legislature is essential to democracy, the rule of law, human rights, as well as economic and social development. The legislature plays an important role in the life of a nation to bring about good governance. The statutory role of legislature is to make laws. In fact, in the classical sense, the key role of parliament is to make new laws and change or improve old ones. This is the reason the parliament is also known as the legislature. However, the role of parliamentarians in nation building goes beyond making laws as the legislature carries out many other important functions in our polity with the intendment of promoting good governance and development (ECA, 2012; Obasa, 2016). Thus, there are different perspectives about the roles and responsibilities of the legislative arm of government in ensuring good governance. However, the core legislative, representative and oversight functions of the legislature provide an essential contribution to the quality of Nigeria's democracy and governance as a whole (Dogara, 2016; Ogbonna, 2018). The pertinent question therefore is to what extent has the legislative arm of government in Nigeria especially the National Assembly carried out their avowed responsibilities of promoting good governance through qualitative legislation, effective representation and diligent exercise of their oversight functions?

For the purpose of this chapter, focus will be on the legislature at the national level, which is the National Assembly. The nature of this paper is primarily descriptive in the sense that it will define broad conceptual issues on the role of the legislature and good governance. It is also explanatory as the paper delves into the functions of the legislature and the effectiveness of this organ of government in ensuring and sustaining good governance in the Nigerian polity. Thus, this chapter examines the roles and the effectiveness of legislature in promoting good governance in Nigeria. It consists of six sections. Section one provides a general introduction.

Section two focuses on the conceptual discourse of legislature, governance and good governance. Section three examines the historical perspectives of legislature in Nigeria. Section four examines the constitutional roles of the legislators in Nigeria. Section five explores the legislative process in ensuring good governance in Nigeria. Section six concludes and makes some recommendations.

2. Conceptual Discourse

2.1. Legislature

The legislative arm of government is in charge of law making. The legislature makes the laws, that defines rights and obligations of the people and of various arms of government, and defines rules of conduct of various actions and functions affecting the well being of the collective good of the society. The legislature is an assemblage of the representatives of the people elected under a legal framework to make laws for the good of the society. It is also defined as "the institutional body responsible for making laws for a nation and one through which the collective will of the people or part of it is articulated, expressed and implemented" (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.

The legislature controls through legislation all economic, social and political activities of the nation. It also scrutinizes the policies of the Executive and provides the framework for the judiciary to operate (Ihedioha, 2012). The primary function of legislature is law making but in order to ensure good governance, accountability, transparency and efficiency in governance, the legislative arms performs oversight functions. In simple terms, the legislature performs three basic roles namely: lawmaking, representation and oversight. Thus, the legislature make laws for the good governance of the country, carry out representative functions on behalf of the people that elected them and carry out oversight on the executive arm of government which include the Ministries, Departments and Agencies (MDAs), to ensure that government is held accountable to the people from where it derives its sovereignty (Ihedioha, 2012; Dogara, 2016).

The legislature is perhaps the most important organ of government in the sense that no society can exist without law. The Legislature's main function is law-making for the peace, order and

good governance of the people. Section 4(2) of the Constitution of the Federal Republic of Nigeria, 1999 (amended) states: The National Assembly shall have power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative list. In Nigeria, the legislature at the centre is called National Assembly, which is made up of two chambers: the Senate and the House of Representatives. In the United States of America, the legislative body (the Senate and the House of Representatives) is called the Congress while in Britain, it is known as Parliament, comprising the House of Lords and House of Commons. Thus, the legislature is collectively called differently in different states. For instance, in Nigeria it is called the National Assembly, in USA, it is called the Congress while in Britain it is called the Parliament.

There are two types of legislature. These are: unicameral and bicameral legislatures. A unicameral legislature has only one chamber based upon popular representation and is responsible for the entire function of law making. This kind of legislature is good for smaller countries with relatively homogenous ethnic nationality. Countries with unicameral legislature include Ghana, Turkey, Greece, Israel, Spain, Denmark, Sierra Leon, Romania, New Zealand, Sweden, etc., while bicameral legislature refers to the legislature with two legislative chambers or houses. In other words, a bicameral legislature consists of two chambers, namely, the Upper and the Lower Houses. Members of both Upper and Lower Houses are directly elected as in Nigeria and some other countries such as the Senate in the United States. In Britain, members of the Upper House, the House of Lords, are nominated while members of the House of Commons are elected. Examples of countries with bicameral legislature include; USA, Nigeria, Britain, South Africa, etc. In Nigeria, there are 109 senators elected based on three Senators to represent each of the country's thirty-six states and one senator to represent Abuja, the Federal Capital Territory. There are also 360 members in the House of Representatives elected on the basis of population.

2.2. Governance

The term governance is used extensively and in many contexts, but is difficult to capture in a simple definition. In a natural resource context, governance is used to refer to the body of formal and informal policies, and the arrangements developed between relevant stakeholders, to manage

and to make decisions about a particular resource. Governance provides the framework by which groups, such as communities, define their interests, rights, responsibilities and the ways in which they will interact with each other and with institutions of authority to manage a particular resource. Gill (2009) defined Governance as the dynamic interaction between people, structures, processes and traditions that support the exercise of legitimate authority in provision of sound leadership, direction, oversight, and control of an entity in order to ensure that its purpose is achieved, and that there is proper accounting for the conduct of its affairs, the use of its resources, and the results of its activities. Gill further identified seven generally accepted, interrelated pillars of democratic governance, and consequentially "good," governance as follow: legitimacy, participation (or engagement), responsible stewardship, ethical conduct, transparency, predictability and accountability.

Florence et al. (2015) viewed governance as the use of State resources and power in an accountable way to achieve and promote the well-being of the citizenry. It, therefore, implies that when the power and resources are not well managed for the welfare of the citizen, there is bound to be a problem. Ogundiya (2010) sees governance as the way in which governments exercised power for the management and distribution of a country's social and economic resources. It is the process by which a state's affairs are managed effectively in the areas of public accountability, fiscal responsibility, administrative and the political responsibility, responsiveness, and transparency, all of which must show the interest of the governed and the leaders (Kola et al., 2017).

According to Gould (1972) cited in Akindele et al (2012); Momodu and Matudi (2013) governance refers to the act of exercising control over others, inducing others to behave in specified ways as required by law. In same vein, Odo (2015) posits that the scope of governance is wide as it includes all the day-to-day activities of the government, such as the exercise of authority on the economic, political and administrative levels in the nation. According to Odo, institutional and structural arrangement, decision-making processes, policy formulation and implementation capacity, development of personnel, information flow and the nature and style of leadership within a political system are part of the governance. Governance strictly refers to the administration of a state. Therefore, the ultimate objective of governance is to efficiently and equitably deliver public good to the citizens of a state and this is what is referred to as good governance (Momodu and Matudi, 2013).

2.3. Good Governance

The concept of good governance has no single and exhaustive definition. It has been variously defined by different scholars and institutions in different ways. It has come into regular use in political science, public administration and, more particularly, development management. It appears alongside such terms as democracy, civil society, participation, human rights and sustainable development (Akindele et al, 2012). Good governance is seen by Ifiemi (2016) and Obasa (2016) as the process of making and implementing decisions. It is not about making 'correct' decisions, but about the best possible process of making decisions for the overall interest of the people. Good decision-making process and good governance share several characteristics: They all have a positive effect on various aspects of the government including consultations with the people, policies that are people-oriented, and programmes that provide the platform for developing society. Similarly, Auslan (2005) defined good governance as the manner in which power is exercised in the management of a country's economic and social resources for development.

According to Otoghile et al. (2014) good governance is the rightly exercising of authority, the ability to problem-solving and conflict resolution, the capacity to manage resources efficiently for development, and high level of responsiveness to the needs and the interest of the citizens. Good governance is integral to economic growth, the eradication of poverty and hunger, quality education and sustainable development. The issue of good governance is a problem that has crippled the growth of many countries in the world particularly, Nigeria. Good governance is, among other things, about being participatory, transparent and accountable. Good governance is described as the government of the society (Kola et al., 2017). This is more so, since effective governance means the capacity of the state, through its power of determinism or, authoritative allocation of scarce critical societal resources – to deliver the basic necessities of life to the governed and, equally facilitate the process of economic development (Akindele et al, 2012). Good governance has also been defined as the process of allocating resources through the instrumentalities of the state, for the attainment of public good. Thus, good governance includes institutional and structural arrangements, decision making processes, policy formulation and implementation capacity, development of personnel, information flows and the nature and style of leadership within a political system (PLAC, 2016).

From the foregoing, the term "Good Governance", no doubt, has very wide connotations. In its widest connotation, it can be described as governance that meets or satisfies the yearnings or needs of the people in terms of development and welfare. Governance that institutionalizes procedure for guaranteeing and protecting the rights of the citizens at all times within the framework of the constitution. Governance that promotes self-actualization and abhors poverty: Governance that recognizes the inalienable rights of the citizens to education; good health; constant and uninterrupted electricity; good water system; etc., (Akomolede and Akomolede, 2012; PLAC, 2016). Despite all the differences, a common understanding of the term good governance is that, it is the exercise of power and decision-making for a group of people bearing in mind the principles of accountability, effectiveness and efficiency, participatory, transparency, responsiveness, consensus-oriented, and equitable (ECA, 2012). Thus, good governance is characterized by participation, rule of law, transparency, responsiveness, equity, inclusiveness, effectiveness, efficiency and accountability (Ewuim et al, 2014).

3. The Nigerian Legislature: Historical Perspective

The development of the legislative institution in Nigeria, however, can be traced to 1861 when the colonial government officially occupied Lagos. As a means of governing the colony of Lagos, the colonial Governor established a Legislative Council to oversee the affairs of the Colony. The ten hand-picked members of the legislature had only two members who were Nigerians. The Legislative Council, however, did not perform any law-making function but served as an advisory body to the colonial governor (Obasa, 2016; Abegunde, 2016).

In 1906, the colony of Lagos was annexed to the Southern protectorate by the proclamation of the colony Governor. The Northern and Southern protectorates were amalgamated to form the colony and protectorate of Nigeria in 1914. After the amalgamation, Nigeria Council was established as a new legislative body, thirty-six members were appointed by the colonial government to represent business and other interests. As an improvement to Nigeria representation in Legislative Council, six members of the Nigeria Council were Nigerians. The Council could only perform the role assigned to it by the colonial government that appointed its members. Hence, it lacked legislative powers and performed no legislative functions. As an improvement to the composition and functions of the legislature, the 1922 Clifford Constitution made provisions for elections of four Nigerians out of the total Council of forty-six members, while the remaining forty-two were either appointed, selected or nominated by the Colonial

Governor to represent business and private interest in the colonial administration. The subsequence Nigeria constitution, that is, 1946 Richard Constitution and 1951 Macpherson Constitution retained the provision for legislature and improved on it by increasing the number of elective Nigerians into the Legislative Council (Abegunde, 2016).

At the Nigerian independence in 1960, the Western Parliamentary system of government with bi-cameral legislature was adopted. At the federal level there were, Senate and House of Representatives, so that there could be proper scrutiny of bills before passing to laws. At the regional levels, the House of Chiefs and House of Assembly existed concurrently. The first republic Senate was made up of 44 members while the House of Representatives was made up of 312 members that were elected nation-wide to serve in the first republic National Assembly. The second and third republic retained bi-cameral mode of legislation at the federal level but was renamed as the National Assembly. At the state level, the bi-cameral practiced in the first republic was replaced with unicameral legislature known as House of Assembly (Abegunde, 2016).

In the second republic elections were conducted in the nineteen states of the federation to both Senate and House of Representatives. The House of Representatives members in the second republic were 450 while the Senate was made up of 96 members. This was made up of one member from each of the territorial constituencies which the nineteen states were divided. The reason for this was to allow for equal representation in line with the principle of federalism and practice of federal character (Abegunde, 2016). The fourth republic witnessed a change and improvement in the National Assembly representation. Each of the thirty-six states in the country was divided into three geographical zones i.e North, Central and South. It is mandated for each of the zones to elect a senator to the Senate and one senator representing the Federal Capital Territory (FCT) to have equal representation. The bi-cameral legislature in the fourth republic composed of 360 members of House of Representatives and 109 members of the Senate. Membership of House of Representatives from each state are based on the numeric strength of each state, representation were not based on equal number from the states like in the Senate (Abegunde, 2016).

The Nigeria Legislature can be classified into colonial and post-colonial. The colonial legislature covers the legislative institution in place between 1861 and 1959, while the postcolonial

legislature is the legislative institution established since the political independence in the country in 1960 till present (2019). The period under post-colonial legislature can be categorized into first republic (1963-1966 parliamentary system) the system was characterized with fusion of powers between the executive and legislature. In the Second republic (1979-1983 presidential system), the major feature of government in this republic was the introduction of separation of power among the three organs of government. The third republic legislature was under the military regime (1992-1993) and the last which is the fourth republic legislature is the current democratic regime which started in 1999 and is still ongoing. It is interesting to note that the fifth Assembly of the fourth republic and the ninth Assembly of the legislative institution in the country was inaugurated in June 2019. Thus, since 1999 till date (2019), the legislature in Nigeria has functioned uninterruptedly and discharged its constitutional duties as a separate arm of government. The brief excursion into our historical past, especially the various efforts at Constitutional developments is important, in my view, for us to properly situate the legislature in our political process and appreciate its role and the challenges it has continued to face over time (Ihedioha, 2012; Abegunde, 2016).

4. Functions of the Legislature

The legislature performs numerous functions in democratic nations. The Economic Commission for Africa (ECA, 2012) in its study on the "Role of legislature in promoting good governance in Africa" – explain that: The parliament or legislature plays an important role in the life of a nation. It thus perform three main functions: a) make new laws, change existing laws and repeal laws which are no longer needed; b) represent and articulate the views and wishes of the citizens in decision making processes and c) oversee the activities of the executive so that the government is accountable to the people. These functions and others are elaborately explained below:

a) Law-Making - The fundamental and primary function of the legislature is to make laws for the good and well-being of the people as well as for the order and security of the country. Such laws are made in accordance with the constitution of a country and in line with the standing laws and procedure that the assembly has stipulated. Though law making is exclusively preserve of the legislature, it is also possible to find the other two organs of government legally intruding into this domain. This process, which is far from an aberration but borne of expediency or even

necessity is known as delegated legislation. Law-making is an interesting process which involves passing of motions into resolutions and bills into laws with main aim of contributing to national development and defending the sovereignty of the country. Although the extent of legislative involvement in law-making vary from weak under parliamentary democracy to strong under the presidential system, but the executive in both systems submit it proposal to the assembly for deliberation (Fashagba et al, 2014; Abegunde, 2016). Thus, law-making is the primary and most important function of the legislature. It is through laws that policies of government are laid down for implementation. In accordance with the provisions of the constitution, the legislature makes new laws and may repeal outdated legal provisions. Laws are enacted in accordance with the prescribed procedures (Ifiemi, 2016).

b) Representative function - Legislative institution is a mechanism in which the population, special interests and diverse territory are represented and guaranteed at the scheme of things (Ewuim et al, 2014). This function derives from the status of the legislature as a body composed of elected representatives of the people. Individual members of the legislature in a democracy are representing different constituencies. The theories of representation, especially the mandate theory, require them to mirror the interests and aspiration of their constituents, which forms the basis of their elections. As the major link between the government and the governed, they are expected to visit their constituencies regularly and consult with the voters in order to feel their pulse, gauge public opinion to better represent them in the legislative chambers.

For the whole country to be adequately represented in governance, the country was divided into three hundred and sixty (360) constituencies. The representation in the House of Representatives is based on constituency, that is, one member representing each constituency. These constituencies are divided according to population. Thus, Population plays a very important significant role in the delimitation of the constituencies. For instance Lagos and Kano with huge population have a total 24 members each in the House of Representatives, while a state like Bayelsa have only six members. Contrary to the method of constituency representation in the House of Representatives, each of the thirty six states in the country was divided into three zones each not minding the unequal population of the states. Each state is represented by three senators; this implies that a senator is representing each of the zones and one representing the Federal Capital Territory. This therefore brings the total number of the Senate members to one

hundred and nine (109). In this arrangement, both the members of Senate and House of Representatives representing their constituency are constitutionally required to present and defend the interest and concerns of their constituencies during policy-making in their various Assemblies. Also, members of the parliament perform their representational function through financial support, distribution of food, provision of employment, training of youth in vocations, provision of facilities for small scale business for those that have been trained in one vocation or the other (Abegunde, 2016).

c) Oversight Functions - Legislative oversight function is the supervisory responsibility that the legislature carries out on the executive and government ministries, departments and agencies (MDAs) in order to ensure that they comply with legislative enactments as well as judiciously expending their budgets in order to effectively meet their policy mandates (Momodu and Matudi, 2013). It is the responsibility of the legislature to conduct investigations into the activities of government ministries, departments and agencies. The oversight function of the legislature is to ensure maximum compliance with due process by the public office holders. This however, involves scrutiny and monitoring of duties of public office holders in ministries, departments, government agencies and parastatals. These duties involve conducting investigation on the activities of public office holders to ensure there is compliance with their rule of engagement (Abegunde, 2016). But to make it more effective a standing committee responsible for relevant government ministry is usually mandated by other members to closely oversee, monitor and if need be, scrutinize the accounts and documents of government agencies in relation to the enabling legislations. A standing committee can also organize public hearings or summon government officials to appear before it to clarify certain issues or defend decisions already made, or proposals under consideration by the agency concerned. Thus, the legislature, through its oversight functions, holds the ministries, departments and agencies (MDAs) accountable to the public. Since it has the responsibility to appropriate and allocate funds to the various government institutions for their operations, it naturally follows that the legislature must oversee these institutions to ensure that the public get value for their money and ensure that these institutions are run in accordance with the laws of the land (Obasa, 2016). 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 (Ewuim et al, 2014).

d) Confirmation of Nominations made by the Executive - As part of the oversight function of the parliament, it also scrutinize individuals nominated for appointment by the executive to represent the interest of government as either Minister, Ambassador, Chairman of parastatals or board, Head of security units, among others. This is to ensure appointments are done to reflect the principle of federal character as entrenched in the constitution, and to ensure that competent and capable individuals who can deliver the responsibilities of the office appointed to serve (Abegunde, 2016). Under the constitution, the executive can only make nominations to major government positions as Ministers, Judges and Ambassadors. Until these nominees are screened and confirmed by the legislature they remain only designates into positions. They can be deemed to have been validly appointed only after the approval of the legislature, usually the Senate, the upper chamber in Nigeria. In the United States for example the President must submit the names of nominees along with the assigned portfolios to the Congress to enable members determine the suitability of such persons into positions assigned to them. This is not the case in Nigeria where the President is at liberty to assign or re-assign portfolios after the confirmation by the Senate.

e) Approval of Annual Budgets - In most countries, the legislature is always known to possess what is called the power of the purse. This implies that the executive cannot legally make any spending without the authorisation of the legislature. For this reason, the law requires the executive to lay before the legislature either in the joint sitting of the two chambers or independently in the two chambers, with House of Representatives first, its annual spending proposals and its sectoral break down for the consideration, vetting and possible approval of the assembly. It is only after approval has been given that any valid withdrawal can be made from the Federation Account or the Consolidated Revenue Fund in Nigeria, for example. The same applies to supplementary budgets. It is through this power that the legislature, on behalf of the electorate, can hold the government and its officials accountable either for misappropriation, miss-application or outright misuse of public funds (corruption). Thus, the legislature is the custodian of national finance. It exercises control over government by controlling the sources of income and the items of expenditure of government. The budget is placed in the legislature for its approval. After the approval of the legislature only the executive gets money according to the budget for execution of policy (Ifiemi, 2016). The legislature approves the budget, provides direction for government by ensuing that government officials act within the ambit of enacted

legislations, controls expenditure, approves treaties and agreements signed by the Executive arm and above all has the power to recommend the removal of non-performing officials from office. While the legislature works in synergy with the executive, it also provides a check on the executive in line with the spirit of checks and balances (Ifiemi, 2016).

5. The Role of Legislature in Engendering Good Governance in Nigeria

The term good governance has its origin in the literature of International Agencies that employ it as a basis or yardstick for measuring efficiency and effectiveness in the conduct of public affairs and management of public resources by public institutions. It focuses on the responsibility of governments and governing bodies in meeting fairly, the needs of the governed. Its basic principles of selflessness, objectivity, integrity, honesty, accountability, openness or transparency and leadership are well established. Good governance is imperative for social and economic progress. Good governance involves justice, equity, protection of life and property, enhanced participation, preservation of the rule of law and improved living standard of the populace. Governance is termed bad when it fails to achieve these purposes. Good governance is about the performance capacity of a government or as it relates to leadership capability. Failure of governance, therefore, could expressly mean failure of leadership (Obasa, 2016).

Good governance brought about by the representative democracy as epitomised by the legislature ordinarily should reflect the wishes and aspiration of the electorates. According to Burke, it is the legislators in any vibrant democracy that could be said to be the true representative of the people. Members of the parliament are elected representatives of the people as it is through them that the people participate in governance. In particular, Section 4(1) under Part II of the Constitution states inter alia: “The Legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation which shall consist of a Senate and a House of Representatives”. It goes further, in Section 4(2), to state as follows: “The National Assembly shall have power to make laws for the peace, order and good government of the federation with respect to any matter included in the Exclusive Legislative List”. For the purpose of explanation, the Exclusive Legislative List, which is contained in Part I of the Second Schedule to the Constitution deals with specific items which only the National Assembly has the sole prerogative to legislate upon, to the exclusion of the States and Local Governments. For example, the items, which are 68 in number, include defence, aviation, currency, customs and excise duties,

citizenship, drugs and poisons, copyright, insurance, external affairs and meteorology (Ihedioha, 2012;Okoro,2017).

Furthermore section 88(1) empowers the National Assembly to investigate into any matter which it has powers to make laws and the conduct of individuals, authority or Ministry in respect to the execution of such laws. The combined effects of the above sections and other incidental sections in the Constitution, Standing Orders of the National Assembly, extant enactments and age long parliamentary practices and tradition form the premise of legislative oversight by the National Assembly. (Okoro, 2017). The legislation is therefore one of the cardinal institutions of any democratic governance. As a separate organ of government, it plays a crucial role in ensuring the entrenchment of good governance in the State. (Ifiemi, 2016). It has been universally acknowledged that for good governance to be achieved there must be a vibrant legislature. The legislature is a talking shop which discusses and deliberates on all issues of national importance. Through deliberations the legislature reflects public opinion on various issues. It acts as the most effective forum for articulation and expression of public opinion. Legislature acts as a link between the public and the government (Ifiemi, 2016). Furthermore, for the legislature to enhance good governance, Ifiemi (2016) asserts that the following must play out visibly:

a. The legislature is empowered to look into the needs, business and occupational engagements of the people and make adequate laws that will directly affect the living standards of the people, positively. However, this cannot be achieved if the legislature is made up of people who are rubber-stamped lawmakers. It is against this background that the electorates should endeavour to ensure that those elected to the legislature are not mere rubber-stamp. Where there are credible legislators with integrity, the principle of checks and balances works here, the underlying word is credible representation.
b. Ostensibly, government is in continuum; hence the legislature is expected to intermittently review, and if necessary amend existing laws to ensure that the needs and desires of the people are met in line with the dynamics of society. The will of the state is formulated and expressed through laws made by the legislature.
c. Some laws are archaic and overtaken by time and events. Such laws are reviewed to meet the present needs of the people, so it is incumbent on the legislature to make necessary amendments to such laws. By the same token, the legislature plays a major role in

gauging, collating and presenting the views and needs of the people they represent. This is usually achieved through the articulation of the needs and aspirations of the people. It behooves the legislature to determine the development agenda of government.

d. More importantly, the legislature helps in identifying the problems and challenges of the people that require attention and assist in overcoming bureaucratic inertia. Legislators achieve this by opening constituency offices where they are needed.

Similarly, PLAC (2016) reiterate that in a democratic regime good governance has three principal characteristics: Participation, transparency and accountability:

1. Participation essentially has to do with involvement and inclusiveness of the citizens in the affairs of government. The public plays a significant role in choosing their leaders and representatives. In the Nigerian context, the legislature provides for public participation in the legislative activities and processes when it calls for memoranda from the public and when it conducts public hearings. This enhances citizen's access to the legislature and contributes to good governance. In the House of Representatives, in particular, the mechanism of Public Petitions Committee, guarantees that citizen's grievances are presented and ventilated before the representatives of the people. All these speak to the constitutional prescription in Section 14(2) (c) to wit: "*The participation by the people in their government shall be ensured in accordance with the provisions of this constitution*."

2. Transparency envisages that activities and decisions of government are open to public view and scrutiny. When we open our Committee and government meetings to the press and the public, when our budgets and expenditures are reviewed by citizens; when our courts and legislative chambers admit the public; when our laws, rules and decisions of government are open to discussion, they are seen as transparent and there is less opportunity for any authority to abuse the system. This position is further reinforced by the Freedom of Information Act, initiated and passed by the National Assembly to aid good governance and accountability. This law specifically makes public records and information more freely available to any citizen. Transparency strengthens democracy, promotes efficiency and effectiveness in governance.

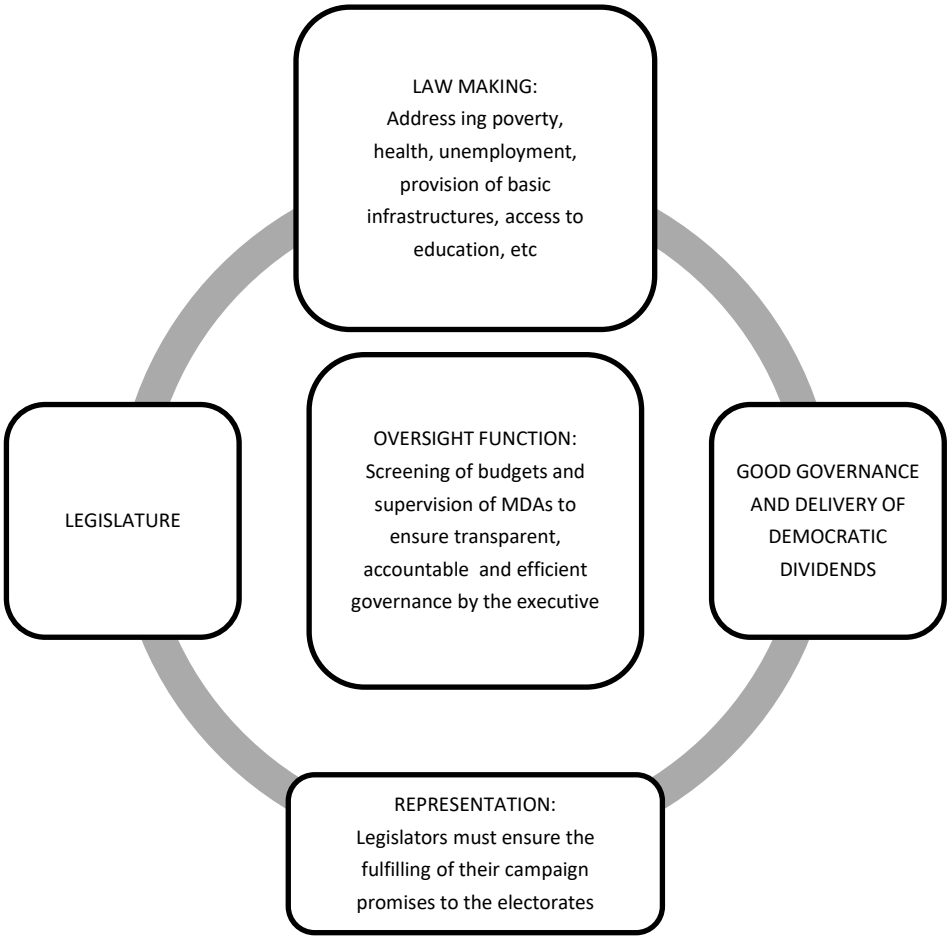
3. Accountability denotes the degree to which government or any of its agencies are held responsible for its actions. In the legislature, members of parliament give periodic account of their stewardship to their constituents during constituency briefings. The four-year tenure also

ensures that political office holders render accounts of their stewardship to the electorate especially before any possible renewal of mandate.

Besides, the increasing demand for good governance within the political framework of democracy by international organizations and the civil society make the oversight functions of the legislative arm of government imperative to the deepening of democratic governance. Legislative oversight promotes checks and balances; it instills fiscal discipline, good governance, accountability and transparency in public offices. It also serves a number of other objectives and purposes such as:

1. Improve the efficiency, economy and effectiveness of governmental operations;
2. Evaluate programmes and performance of MDAs;
3. Detect and prevent poor administration, waste, abuse, arbitrary and capricious behaviors or illegal and unconstitutional conduct;
4. Inform the general public and ensure that executive policies reflect the public interest;
5. Gather information to develop new legislative proposals or to amend existing statutes, ensure administrative compliance with legislative intent and prevent executive encroachment on legislative authority and prerogatives.
6. Hold the executive branch accountable by scrutinizing whether the government's policies have been implemented and whether they are having the desired impact.
7. Provide financial accountability by approving and scrutinizing government spending by highlighting wasteful expenditure within publicly – funded services. In political systems where legislatures are able to accomplish these objectives, legislative oversight becomes not only an indispensable and powerful instrument, but also an indicator of good governance (PLAC (2016).

Fig: 1 *Legislature and good governance model*



Source: *Momodu and Matudi (2013).*

The model above describes the tripartite function of the legislature namely, law making, oversight and representation. The model therefore, illustrates how the exercise of these functions can translate to the achievement of good governance.

From the foregoing, it is clear that legislatures play critical role in the promotion of good governance in democratic regimes. This role is primarily discharged through the exercise of the basic legislative functions of law making, representation and oversight (Momodu and Matudi, 2013). However**,** the most important way that legislatures can contribute effectively to good governance is through the exercise of the instrumentality of its oversight function.

6. Conclusion

The legislature occupies a central role in any democratic setting. Of course, a government may exist without the legislature. Nevertheless, without the legislature, democracy is not possible. The existence of a parliament may not be synonymous with democracy, but democracy cannot exist without a parliament. As is evident, legislature is a veritable instrument and institution for national development whose effectiveness is determined by some local variables. With the roles of the legislatures all pointing towards good governance, it is not out of place to say that the legislature is the bulwark of any nation (ECA, 2012; Obasa, 2016).

There is no gainsaying the fact that good governance is a pre-requisite for sustainable development. This is why there is a global advocacy for good governance as manifested in transparency, accountability, responsiveness, consensus-building and the rule of law. Achieving good governance requires the existence of a strong, effective and efficient parliament. This is so because parliament plays a crucial role in gauging, collating and presenting the views and needs of the people, articulating their expectations and aspirations in determining the national development agenda (ECA, 2012; Obasa, 2016; Ifiemi, 2016). The legislative arm of government has powers to legislate on a broad spectrum of matters that if effectively carried out will translate into good governance for the benefit of all and sundry (Akomolede and Akomolede, 2012). A vibrant legislature is more or less the propelling factor to engendering democracy and good governance. The commitment and selflessness of law makers is crucial for any government to achieve the desired change. Also, for good governance to happen there must be a strong and reliable legislature, which is independent, objective, enjoys the support of the electorate and above all to foster democracy and good governance.

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