

Enhancing Accountability in Governance through Legislative Oversight: Myth or Reality in Nigeria?

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Abstract

The National Assembly has discharged its constitutional mandate of oversight on the Executive Arm of the government with limited success. Several probes have been conducted on government agencies without the desired impact. This paper examined legislative oversight in Nigeria with a view to identifying the factors that occasioned its failure and suggest remedies that would ensure its effectiveness and promote accountability in governance. The paper adopted the historical research method, extracted data from mainly secondary sources and analyzed them both qualitatively and quantitatively. The analysis was anchored on the social contract theory premised on the expositions of Thomas Hobbes, John Locke and Jean-Jacques Rousseau which were to the conclusion that though the state cedes its rights to a ruling authority (the government), it still retains the sovereignty to hold those in government accountable for their actions, inactions or failures hence the power of oversight vested in the legislature. The paper traced legislative oversight failure to an omnipotent executive, an inept legislature, constitutional lapses among others. It noted that the failure has undermined Nigeria's efforts at good governance exemplified in poor accountability, poor service delivery, monumental waste of resources. The paper suggested some remedies, which include individual and collective self-cleansing by the National Assembly, constitutional reforms to curtail executive hegemony, and electoral reforms to ensure integrity of representatives.

Keywords: Legislative, Oversight function, Accountability, Governance, Corruption.

Introduction

In a democratic government, the legislative arm of government serves as a watchdog on the other arms of government, particularly the executive arm which is saddled with the responsibility of governance. This is necessary to prevent (or at least minimize)

executive lawlessness or recklessness and ensure accountability in governance. Okoli (2009) points out that, in addition to law making, a major responsibility of the Legislature is to oversee the activities of the Executive. This function is accomplished by legislative control over the budgets prepared by the executive; the power to create, alter or abolish agencies of the executive or change their function. This role of the legislature is most essential and critical in Nigeria given, that her democracy is yet to mature and therefore susceptible to irregularities, manipulations and abuse of democratic values and processes. Moreover, terms such as "dividends of democracy", "good governance", "national transformation" and the like are readily on the lips of almost every political office holder, elected or appointed. It is in the light of these and many more excesses that D. Adeniran (2013p.6) argues that:

The main essence of power of oversight functions vested in the Parliament is to ensure checks and balances within and among the various tiers and arms of government. This will ensure accountability in public service and enhance the people's trust and belief in democracy, which in turn ensure the sustenance of good governance based on constitutionalism.

To accomplish this all-important function, the Constitution of the Federal Republic of Nigeria (1999) (as amended) has adequately devolved powers to the legislative arm in Section 88 (1) and (2)(b) to investigate the official activities of persons and agencies of government charged with the responsibility of managing public businesses in such a manner as to enable it to, among other things uncover and expose corruption, inefficiency or waste in the system. Pursuant to this constitutional mandate, therefore, the National Assembly has over the years embarked on a series of probes to determine how well or not public responsibilities have been discharged or how efficient (or inefficient) public resources have been, utilized. Ndoma-Egba (2012 p.4) confirms this in the following words:

The National Assembly has, especially in the recent past deployed its enormous oversight and investigative powers to expose weakness in our institutions and governance processes. Of special mention is the continuous reform of the budget process; the petroleum subsidy, the privatization process and pension investigations, which revealed massive fraud and suborning of the schemes thereby rendering them opaque and fraught with corruption.

Buttressing this point, B. Adeniran (2013) observes that, the National Assembly has conducted as many as twenty-one major probes on agencies of the Executive since 2008, with at least one probe in every quarter.

The massive probes embarked upon by the National Assembly are commendable and no doubt depict the legislators' commitment towards exposing the rot in public management and ensuring accountability in governance. What remains to be seen, however, is the effectiveness of these probes. Since the emergence of the current democratic dispensation, series of public hearings and probes of federal agencies' activities have been conducted without official reports on some of these investigations (Anonymous, 2012). In fact, the general consensus among Nigerians (including the Federal Legislators themselves) is that the reports of the investigations are not implemented by the Executive Arm. Various probes of government agencies by the National Assembly committees had not been yielding results due to non-implementation of the reports by the Executive (Abaribe, 2012). In some cases, the reports of the investigations do not come to limelight because they are shrouded in controversy emanating from accusations and counter-accusations predicated on bribery and corruption.

If oversight functions which are a potent means of ensuring accountability in governance become embroiled in controversies such that they end up in a stalemate; or if the Executive Arm deliberately frustrates a Legislative investigation or refuses to

implement a fully and satisfactorily completed oversight investigation with impunity, then can accountability and good governance still find locus in Nigeria's democracy? This paper, therefore, examines the issues, trends, bottlenecks and failures of legislative oversight as an instrument of ensuring and promoting accountability and good governance with a view to determining whether it is a myth or a reality in Nigeria.

Conceptual Clarification and Theoretical Framework

Legislative oversight function is a duty vested in the Parliament of a State to check, monitor and supervise the activities of the other arms of government especially the Executive Arm to ensure that government business is managed in such a way and manner as to achieve the desired results for the greatest good of the majority. Jeremy Borbon defines legislative oversight (with respect to the United States Congress) as "the act of Congress looking over the executive branch as well as monitoring and supervision of the implementation of public policies" (as cited in Ndoma-Egba, 2012p.2). Nigro as cited in Ekhaton, 2002) agrees with this view adding that it is a long established American doctrine that at all levels of government the law-maker should maintain a close watch on the activities of administrative agencies. The United States National Democratic Institute (as cited in Uzoigwe, 2012p.1) defines legislative oversight; as "the obvious follow-on activity linked to law making." D. Adeniran. (2013) refers to it as the power vested in the Parliament to oversee and supervise the functioning of all governmental machineries including ministries, parastatals and agencies.

The definitions above clearly reveal that oversight functions of the Legislature bring governmental activities to public view and scrutiny to identify areas of distress, omission or commission thus compelling the Executive Arm to be responsible and responsive. It makes government more efficient and accountable (Uzoigwe, 2012) It is pertinent to remember that the legislature discharges its

oversight mandate in two ways: Ndoma-Egba (2012) identifies them as the "police patrol" method which is proactive and preventive and the "fire alarm" method which is reactionary and curative. According to him:

The "police patrol" method implies a continuous watchfulness or constant supervision of the Ministries, Departments and Agencies of Government and bureaucracy; the same way that the police constantly patrols the streets to provide security. The "fire alarm" method on the other hand is conducted as a result of concerns by constituents; the public, or the media. It can also happen through whistle blowing (p.2).

It is discernible from the above explanations that legislative oversight-is devolved to control abuse of power, check administrative lapses and prevent (or minimize) failures in order to achieve efficiency and accountability in governance, which is why it is sine qua non in constitutional democracies.

Accountability is a principle which compels someone who has been entrusted with responsibility or resources to explain how he/she handled them. It is an obligation to explain how one has discharged one's responsibility. According to the Dictionary of the Social Sciences, accountability focuses attention on the processes, procedures and sanctions through which public officials may be held to account for their actions (as cited in Adamolekun, 2006). Accountability refers to answerability for one's actions or behaviour (Olowu, 2002; Ochala, 2006). Okoli (2009) refers to accountability as the principle in government which requires officers to explain to the people, through legitimate channels, how they made use of the public funds, materials, authority and power entrusted to their hands.

Generally, accountability creates a master-servant relationship or agency relationship, that is, the relationship between the master and his servant or the agent and his principal where the servant or agent is answerable to his master or principal for actions and decisions. The master expects his servant to give a report or an

account of his stewardship to his master on periodic basis (Sani, 1999 p. 87-9).

Four aspects of accountability have been identified which, though have slightly different connotations, are not substitutes but complementary to one another. They include financial accountability, managerial accountability, administrative accountability and political accountability. Financial accountability also known as fiscal accountability focuses on the requirement that public funds are expended in accordance with laid down guidelines and regulations. It is about making sure that money has been spent as agreed, according to appropriate rules (Odoh, 2001). In the public sector, fiscal accountability is verified by auditing the accounts of Ministries, Departments and Agencies (MDAs). Managerial accountability demands compliance with established processes and procedures for obtaining resources or carrying out public activities, hence, it is sometimes referred to as process or procedural accountability. Managerial accountability requires that those delegated with authority are answerable for carrying out agreed tasks according to agreed criteria or performance standards (Odoh, 2001). Administrative accountability is described by Okoli (2009) as a situation whereby public officials account for money and materials entrusted to their care. Anyebe (2001) refers to it as "bureaucratic" accountability which occurs according to Weberian principles of hierarchy where every public servant at a particular part in the arrangement has a specific position and is accountable to a superior. In other words, administrative accountability connotes a chain of hierarchical relationships where the subordinates are answerable to their super-ordinates in an organisation. In the public sector, for instance, if a duty is assigned to a subordinate, he is supervised by his immediate boss who is in turn answerable to the next superior officer until the entire department or unit is accountable to the government.

This paper focuses on political accountability which according to Robertson (as cited in Otaha, 2010), concerns the process by

which those who hold power, whether as government appointees, as elected representatives, or as officials in the private sector, must be able to show that they have exercised that power and discharged their duties properly and prudently in accordance with the aspirations and wishes of the people. Day (as cited in Odoh, 2001p.17) puts it succinctly that political accountability is about "those with delegated authority being answerable for their actions to the people, whether directly in simple societies or indirectly in complex societies". Okoli (2009 p. 352) simplifies this position further saying, that it:

Involves a situation where a public officer explains how he utilizes his office, power and authority to improve the welfare of those he serves. In such a case, it is mandatory for him to explain to those who gave him the office, how he served them with the office and power granted to him.

Broadly, therefore, in a democracy, accountability generally, and political accountability in particular, exudes a relationship between the elected representatives and the electorate such that the former are answerable to the latter for their actions or inactions, omissions or commissions. The promises made by political office-seekers during electioneering campaigns must be accounted for on assumption of office. According to Sharma, Sadana and Kaur (2012), the accountability of the government is to the people of a country, and is enforced through the legislature composed largely of electee representatives. Accountability is essential for the efficient functioning of all organizations and especially of governmental organizations in a democratically governed state (Olowu, 2002).

Someone has to answer for the success or failure of an organization, institution or a system (Onu, 2006).

Governance, used loosely, refers to the various ways of coordinating social life to make it more meaningful. In the modern sense, governance entails a policy framework that allows the interplay of hierarchies, markets and policy networks in public management. It represents a general shift from monocentricism

(government dominance) to polycentricism (dominance of multiple institutions) with emphasis on the 3E_s- economy, efficiency and effectiveness (Heywood, 2007). Better governance is measured first, by accountability, and then by other norms like transparency, rule of law.

Theoretically, the analysis in this paper is anchored on the Social Contract Theory whose concrete expositions are contained in the works of Thomas Hobbes (1588-1679), John Locke (1632-1704) and Jean Jacques Rousseau (1712-1778). The theory was utilized in this study because it gives rise to a master-servant relationship otherwise referred to as agency relationship which demands accountability of the servant to the master. The fundamental idea behind the social contract theory is that the emergence of the state is a result of a consensus among men to give up part of their natural rights and liberties to a human authority (an agent of the state called government), which would rule over them justly, for the good of all. The state is a human creation, the result of a contract (Appadorai, 1975 p.19).

The social contract theory is expressed in two forms: The "social contract" itself and the "governmental contract". Focus in this paper is on the governmental contract strand which is regarded as "an agreement between the rulers and their subjects" (Asirvatham and Misra, 2009 p.73), or "a tacit agreement between the Government and the people" (Appadorai, 1975 p.20). In this contract, therefore, as Locke posits, there are two parties: One party is the principal or 'sovereign' (the people who constitute the state); the other party is the agent (the government composed of a few selected individuals to whom the people surrender part of their rights). Though the analyses of the social contract theory vary from Hobbes through Locke to Rousseau, the central idea of the theory is by no means nullified. Its most sensational value is the marriage between Locke's idea of "constitutional or limited government" and Rousseau's doctrine of "popular sovereignty",

which forms the bedrock for the development of modern democracy.

It is crystal that an agency relationship, as demonstrated by the social contract theory, exists in a democracy where one party has to be held accountable for breach of trust (should this occur); and that certainly, is the government which holds power in trust, on the consent of the governed. Olowu (2002) submits cogently that the individuals who act on behalf of the state can be held accountable for the actions of the state they represent. To achieve this, therefore, most national constitutions vest the powers of checking the arbitrariness of government officials in the legislature which is an embodiment of the representatives of the people. It checks and monitors the activities of the Executive Arm of government through the instrumentality of oversight function enshrined in the constitution to promote the common good of the citizenry. Failure to do this vitiates or completely nullifies their pact with sovereign people and puts the renewal of their mandate at great risk.

In Nigeria, however, a record of oversight duties has been made by the National Assembly to no avail due largely to non-implementation by the Executive Arm yet nothing seems to be done to enforce compliance thus confirming (or reversing to) Hobbes' perspective in the social contract theory that "the Government is sovereign, and the sovereign's power is absolute" (Appadorai, 1975 p.22). Or is it a clandestine arrangement between the Legislative and Executive Arms to defraud the people?

Methodology

This paper is theoretical and utilized the historical apparatus. Secondary data were eclectically scoured from disciplines such as the social sciences, management, the humanities, as well as public administration and analyzed using qualitative and quantitative approaches.

Some Legislative Oversight Functions in Nigeria since 1999

Between 1999 and 2015, the twin chambers of the National Assembly set up separate committees to investigate the activities of government agencies in order to expose maladministration and misappropriation. A few of the public hearings were conducted during the first and second legislative sessions (1999-2007) due to a variety of reasons. First, the legislators were in a learning process since legislative business had not been carried out for long as a result of several years of military rule. Second, the National Assembly particularly the Senate was volatile and unstable, submerged in power tussle culminating in leadership crises that saw five different persons occupy the position of Senate President during those eight years. Third, the head of the executive branch of government during this period had a military background and manifested overbearing influence on all governmental issues whether law making, law implementation or law adjudication. In fact, the presidency was accused of precipitating most (if not all) the crises in the Senate.

Legislative oversight investigations became intense and preponderant during the Yar' Adua and Jonathan regimes (2007-2015). The former's fence-setting disposition, not interfering in legislative matters, while the latter's seemingly feeble-minded posture towards governance issues gave the National Assembly enough impetus to carry out oversight activities such that majority (more than twenty) of the probes were concentrated in this period. The table below summarizes the oversight investigations conducted by various committees of the Federal Legislature between May, 1999 and April, 2015.

Table 1: Legislative Oversight Functions by National Assembly Since 1999

Legislative Period	Senate	House of Representatives
1999-2007	Senate Probe of the Petroleum Technology Development Fund (PTDF)	
2007-2015	Senate probe of FCT Ministry and Minister, Mallam Nasir El-Rufai, 2008.	House probe of Power (or Energy) sector, 2008.
	Senate probe of Jos Crises, 2008.	House probe of Finance Ministry over 2007 budget, 2008.
	Senate probe of NIMASA and Shippers' Council, 2008.	House probe of Jos Crises, 2009.
	Senate probe of Ajaokuta Steel Company Concession, 2008.	House probe of Customs scam, 2009.
	Senate probe of the Transport Ministry from 1999-2008. May, 2008.	House probe of Sale of Nigerian House in New York, 2010.
	Senate probe of Solid Minerals Special Account, 2009.	House probe of Railway Project.
	Senate probe of Sale of Federal Government Houses in Lagos and Abuja.	House probe of Nigeria National Petroleum Corporation (NNPC) fund.

<p>Senate probe of Incessant Drop calls by GSM providers, 2010.</p> <p>Senate probe of Lead Poisoning in /amfara State, 2010.</p> <p>Senate probe of #19.5billion Safe Lower Aviation, 2010.</p> <p>Senate probe of food crises in Nigeria, 2010.</p> <p>Senate probe of the Bureau for Public Enterprises (BPH) on the privatization process, 2011.</p> <p>Senate probe of Establishment and Public Service (Pension), 2012.</p>	<p>House probe of Salami/ Katsina Alu face-off, 2011.</p> <p>I louse probe of Petroleum Subsidy, 2012.</p> <p>House probe of the Capital Market, 2012.</p> <p>House probe of 2012 budget implementation, 2012.</p>
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Source: i. Admin (2011). National Assembly's many wasteful probes Accessed May 5, 2013 from <http://www.google.com>.

ii. Adeniran, B. (2012). 21 National Assembly's probes in 4 years, where are the results? Retrieved April 20, 2013. from <http://dailypost.com.ng/2012/06/213>

iii. Uzoigwe, S. (2012). Legislative Oversight: Fraud or Constitutional Duty? Retrieved April 20, 2013 from <http://newdianyonline.com>

Some Causes of Legislative Oversight Failures in Nigeria

Legislative oversight failures in Nigeria could be attributed to several factors which include among others:

An omnipotent Executive: arm of government symbolized the executive in the President is too powerful and its overbearing influence transcends all issues of governance so much that executive tyranny or dictatorship seems to have ensued. The President in Nigeria can act or not act, or act unilaterally with impunity. For instance, he can: Order the withdrawal of funds from Nigeria's foreign reserves without approval of the National Assembly (as in the days of Obasanjo); stop statutory allocations to some local governments councils without recourse to the National Assembly (as Obasanjo did to Lagos State during his Administration); violate court orders or pay deaf ears to court judgments if they are not in consonance with his desires (as in Obasanjo's and Jonathan's administrations); remove subsidy on petroleum products against all appeals and wishes of the people (as Jonathan did in 2012); even impose a leadership on the National Assembly else that leadership would not stand (as was the case during Obasanjo's era); the list is open-ended. If the Executive Arm wields such enormous powers and influence at the expense of the other arms of government, without effective checks, legislative oversight becomes a mere fantasy, hence, accountability and good governance can hardly be guaranteed.

Much of the Legislative oversight failure is predicated on gaps in Nigeria's constitution. Nowhere is it stated in the constitution that the Executive Arm is bound to accept and implement the findings of a National Assembly investigation, neither has any punitive measure been prescribed against the Executive should it renege. Legislative oversight results, as interpreted by many, are a matter of advice by the lawmakers to the Executive which is neither binding on nor a ticket to dictate to the President (Uke, 2013). Once this becomes the case, morality (not law) sets in, and of course the Executive as usual, would prefer to operate on Machiavelli's principle that a ruler is not only above the law but is also outside morality (Sani, 1999). This and several other lapses make the constitution weak and paves the way for Executive tyranny and

recklessness, so frustrating that the Senate had to, at one time, resort to strike as a means of ensuring compliance.

Most of the investigations embarked upon by the National Assembly are inconclusive or marred by allegations of bribery on the committee members. A few instances include the Power Sector Probe by Honorable Godwin Elumelu on whom an allegation of #100 million bribery was slammed; the Capital Market Probe led by 1 honourable Herman Hembe whose committee was accused by the Securities and Exchange Commission Director - General, Miss Arunma Oteh of demanding for #39 million bribe; the Fuel Subsidy Probe chaired by Honourable Farouk La wan who was alleged to have demanded for a bribe of US\$1 million and actually collected part of the money from Femi Otedola, Chief Executive of Zenon Oil. Similarly, it was widely believed that the Federal Capital Territory (FCT) Administration Probe conducted by the Senate (See the table above) was ill-motivated and targeted at the erstwhile Minister of FCT, Mallam Nasir El-Rufai who had alleged that some members of the upper Legislative House demanded bribe from him as a pre- requisite for his confirmation as Minister. Uzoigwe (2012p.1) captures this problem thus:

Oversight function is dogged by incapacity, subterfuge and greed in Nigeria. The legislature investigates infractions but often rubbish their efforts with licentiousness. Oversight committees struggle to extricate themselves from corruption charges and prosecution. Their leaders are thus cast as accomplices if not orchestrators of corruption.

The Legislative Arm of government in Nigeria is weak and inept, and so lacks both the legal and financial capacities to face its Executive counterpart. The constitution has granted wide discretionary powers to the Executive Arm leaving little to the Legislative Arm. Iiven the impeachment powers contained in Section 143 of the Amended Constitution vested in the legislature require a long, tortuous procedure (with a tendency to boomerang given Nigeria's complexities). This coupled with the legislative

inexperience, greed and selfishness of most members put the National Assembly in a precarious and vulnerable position relative to the Executive. The result is that the oversight mandate is ineffective, undermines public confidence, and the legislature is perceived as inept, often popularly described as a "rubber stamp".

Another cause of Legislative oversight failure is electoral dysfunction. Most of the political office holders whether legislative or executive are usually products of election impropriety. Odumakin (as cited in Admin, 2012) observes that, Nigeria's political foundation is *a* fraud. Both members of the Executive and the Legislature are products of electoral fraud, they are living on graft. This way of indicting political office holders confirms that electoral manipulation of any form is antithetical to democratic governance because the leadership that emerges is hypocritical, self-serving and dubious, so lacks the integrity to challenge the wrongs let alone enforce checks and balances for accountability to thrive.

The long grip on political power by the military has left an indelible attitude of arbitrariness in Nigerian political leaders. The military seems to have transferred the culture of disrespect for the constitution to the elected leaders. Political leaders in Nigeria: do not adhere to the rule of law (except where personal interest is involved) so find ways of circumventing the law; subvert justice or resort to intimidation and blackmail when all other avenues fail; are not sensitive to the plight of the people rather their highest priority is in expressing their own ideas and feelings thereby causing the country's democracy to continue to wallow in the military effect (Yissa, 2012) akin to the submission of Kukah (2012) that the military has continued to circulate in the lives of Nigerians in almost all departments; in whatever shape they came, the military effect will continue to be felt.

Effects of Legislative Oversight Failures

The inability of the National Assembly to effectively discharge its oversight responsibilities leaves room for poor accountability in public sector management characterized by monumental waste, inefficiency and corruption. Internal control mechanisms and due process within MDAs are often short-changed or evaded; funds allocated for projects are diverted or misappropriated without checks, leaving a wide gap between budget expectation and budget actualization. It is often argued that where there is no accountability, the public administrative system, and indeed the entire political system, runs amok (Olowu, 2002). This is so because the quality of governance deteriorates since there are no checks and balances. The result is undue hardship and low quality of life of the citizenry.

Closely related to poor accountability is poor service delivery. If the Legislature fails to effectively use its oversight powers to check or control the activities of the Executive especially as regards policy implementation or project execution as contained in the annual budgets, the outcome is either poor implementation or non-implementation at all as is the case with Nigerian budgets. Almost all the oversight investigations so far conducted by the National Assembly reveal monumental fraud and distortions, so appalling and incredulous. The power sector, the petroleum subsidy, the privatization process, the capital market and pension investigations have proved this to be true. The repercussion is the poor and dilapidated social and economic infrastructure everywhere in the country.

Waste of time and resources *is* also a major setback occasioned by failed oversight control. Probes take a heavy toll on the nation's financial resources and if they are embarked upon only to be abandoned midway without concrete results, or the reports simply shoved aside, then the waste which the mechanisms seek to prevent is rather exacerbated. Also, valuable time and energies which would have been used for more result-oriented activities are

dissipated in prosecuting investigations which end up in comatose. All these add to the huge waste already existing, thereby aggravating the nation's economic woes.

Failure of the Legislature to effectively checkmate and bring the Executive to standards of accountability using oversight powers has rendered the country's governance institutions and processes weak and incapable of tackling developmental challenges. As observed by Ndoma-Iigba (2012p.6), "public accountability is the hallmark of modern democratic governance. Democracy will remain a pipe dream if those in public authority cannot be held accountable for their acts and omissions, decisions, policies, and expenditure". Public accountability underscores the superiority of the public will over private interests for those engaged in the provision and delivery of services to the general public (Olowu, 2002p.14). But once this is not to be, democracy loses its taste and value to an arrangement that is dictatorial and pays lip service to the yearnings and aspirations of the people, as is currently experienced in the country.

Corruption is both a cause and an effect of legislative oversight failures. This is because, though oversight function seeks to curb corruption, its failure tends to generate or deepen the menace. Failure of oversight investigations in Nigeria so far has allowed corruption to tower at great heights and may continue since the Legislature is neither proactive nor constructive in its task, while the Executive is defensive, recalcitrant and unperturbed in its posture.

Remedies to Legislative Oversight Failures

The analyses in this paper have shown that legislative oversight though a constitutional matter in Nigeria, is so far more of a myth than a reality due to ineptitude and corruption on the part of the National Assembly, and recalcitrance and indifference on the side of the Executive. To make oversight more effective and what it truly stands for, the following remedial measure are suggested:

Members of the National Assembly should individually and collectively (as a body) embark on attitudinal self-cleansing and reformation to upgrade their integrity so that they can come to equity with clean hands, earn the respect of the executive and reclaim public confidence. In the bicameral legislature, erring members should be investigated and brought to justice.

A constitutional review is inevitable which should as a matter of priority prune the powers of the executive to make it less monstrous and more attentive to the plight of the masses. The would-be constitution should also embody mechanisms to enforce compliance of the Executive should the National Assembly come up with any credible investigation of a government agency.

Electoral reforms are imperative to enable the conduct of transparently free, fair and credible elections that will produce representatives of proven integrity/ who will significantly serve the interest of the people.

The organized labour and civil society organizations or groups can sensitize the public to provide a check on the activities of the both Executive and the Legislature. The nationwide strike and protests organized against the removal of fuel subsidy in January 2012 yielded results by forcing the government to rescind its decision (though partially) and is a good example of such a check. After all, it has been advocated that whenever the sovereign acts in a tyrannical way, paying little attention to people's welfare, the 'right of resistance' should be evoked; or whenever governance is badly carried on, the contract should disappear. (Asirvatham and Misra, 2009).

Conclusion

It has been established since the days of yore that government is a contractual agreement between the government and the governed. In a democratic arrangement, the majority concede the right to rule to a select few who govern by consent and are therefore subject or accountable to the sovereign majority. Ekhaton (2002) points out

that in modern democratic states, citizens exercise control over the administration through their elected representatives (members of the Legislature). The Legislature oversees the activities of the government on behalf of the people. The Legislative Arm discharges this mandate using oversight powers enshrined in the constitution. In Nigeria, this responsibility has been carried out with limited success due to a nonchalant and insensitive Executive, unwilling to implement oversight investigation reports. This coupled with ineptitude on the part of the legislators, as well as bribery and corruption have undermined oversight functions and rendered them ineffective and inconsequential. As a result, transparency and accountability are more or less non-existent in the country's democracy, leading to deterioration in the quality of governance as evidenced in poor service delivery and infrastructure decay. For legislative oversight to be effective and result-oriented, constitutional reforms are necessary to curtail executive rascality. Equally significant is the need for the National Assembly to turn a new leaf so as to restore confidence and respect else it will remain a "toothless barking dog," and legislative oversight function will continue to be a myth in Nigeria.

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