
THE LEGISLATURE AND NATIONAL DEVELOPMENT: THE NIGERIAN EXPERIENCE

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ABSTRACT: *Controversy shrouds the role of Nigerian Legislature in national development. Though some believe that the legislature has contributed significantly to the development of the nation, many others are of the view that since from its inception as a sovereign state legislature in Nigeria has not shown a significant and genuine commitment to the social, economic and political wellbeing of the country. This work assesses the role of Nigerian legislature in national development. The work is of the view that legislature is a veritable instrument and institution for national development whose effectiveness is determined by some local variables. The descriptive-diachronic methodology was used in comprehending and interpreting the role of the legislature in national development. For Nigerian legislature to be instrument of national development, the work suggests among others the need for moral politicians.*

KEYWORDS: Legislature, Corruption, Morality, Development,

INTRODUCTION

Democracy is all about ensuring popular participation and control of the process of government. Since all the people cannot participate and individually control their government at the same time, they entrust these rights and duties to an elected few among them known as legislators. The legislature is one of the basic structures of any political system. It is known by a variety of names in different countries. Some states identify their legislature as Congress, Parliament, Duma or Knesset. Others designate it as Soviet, Diet, Assembly, etc (Laxmikanth, 2006). The legislature is ubiquitous in every system of government to perform legislative functions. The law making process is an interesting chain of activities, which involves passing of motions into resolutions and bills into laws which depending on certain circumstances contribute in one way or the other to national development. In every nation, the legislature as the accredited representatives of the people has the duty of promoting national development through its chain of activities. In Nigeria, legislature has the mandate and is under obligation to initiate debate and show concern on matters affecting the generality of people in the country. Expectedly such activities should be directed toward reversing declining economy, stabilizing the polity and integrating society with overall aim of enhancing national development. In spite of the criticality of the legislature to national development, it is clear from Nigerian experience that some legislatures fail to play such role with expected level of success. Comments, observations, and experiences have proved that Nigerian legislature have failed to live up to its constitutional responsibility of being harbinger of national development as it is struggling to overcome the executive interference, crippling internal conflict, inexperience, corruption and materialistic obsession. The work examines the role of legislature in national development with Nigerian legislature on focus.

CONCEPTUAL AND THEORETICAL FRAMEWORK

Legislature is generally referred to as an official body, usually chosen by election, with the power to make, change, and repeal laws; as well as powers to represent the constituent units and control government (Lafenwa, 2002:5). The Blackwell Encyclopedia of Political Science (1991:329) defines legislatures as political institutions whose members are:

Formally equal to one another, whose authority derives from a claim that the members are representative of the political community, and whose decisions are collectively made according to complex procedures.

Loewenberg (1995:736) conceptualizes legislatures as “assemblies of elected representatives from geographically defined constituencies, with lawmaking functions in the governmental process”. In the same vein, Jewell (1997) identified two features that distinguish legislatures from other branches of government. He opines that legislatures have formal authority to pass laws, which are implemented and interpreted by the executive and judicial branches and their members normally are elected to represent various elements in the population. It is significant to note that legislatures vary in terms of composition, structure and role, from one democracy to the other. Strictly speaking, legislatures are divided into two types. They are the bicameral and the unicameral types. The unicameral legislature has only one chamber or house while the bicameral variation has two. All communist regimes, including China, many Latin American countries, Norway, Cyprus, Denmark, Finland, Israel, Lebanon, and New Zealand had unicameral legislature (Bone, 1972).

The bicameral structures are made up of the Upper House and the Lower House. Some countries designate their Upper House as the Senate and the Lower House as the House of Representative. Typical examples of this are the United States of America and Nigeria. In England, the House of Lords and the House of Commons are the designations for the Upper House and Lower House respectively. This structural variation notwithstanding, legislatures tend to exhibit some basic common characteristics. Generally speaking, their members are formally equal to one another in status. For another, the authority of members depends on their claim to representation of the rest of the community. Furthermore, as Loewenberg (1971) opines, quality of status also determines that members of parliament work collectively, either in meetings of the entire membership or of committees of members. These characteristics portray the legislature as what it is by its nature and design, a functional institution. In order for a legislature to remain practically functional and contribute to national development, Ogunna (1983:85) opined that it must, among other things be

Truly representative in character, knowledgeable and mature in judgment, selfless, responsive, responsible, competent and effective in the discharge of its functions, discreet in the judicious exercise of its powers, and high in its integrity.

The human society is an organic phenomenon. As such, it is never static. The pressures of its geophysical and the natural interaction of its parts render the human society always dynamic. It is the task of the legislature to make laws and policies to guide the societal dynamism into the smooth channels of growth and development for the good of all. Any policy that is not supported by the

legislature is not sustainable. It follows that the state or level of national development of the country is strongly determined by capability of the legislature. In other words, all the power that the legislature possesses is for development, national development. To this end, it can pass necessary relevant laws and employ the force of the community in the execution of such laws in aid of national development.

The other concept, national development, in the other hand depicts unending process of qualitative and quantitative transformation in the capacity of a state to organize the process of production and distribution of material benefits of society in a manner that sustains improvement in the wellbeing of its individual members in order to enhance their capacity to realize their full potentials, in furtherance of the positive transformation and sustenance of their society and humanity at large (Onuoha, 2013). National development entails an ensemble of sustained improvement in the political, social, economic, health, and environmental aspects of any organized political society. In this way, the political variables of national development include the level of political stability, free and fairness of the electoral process, representativeness of political institutions, and respect for human rights. The economic parameters include the gross national product, nature of income distribution, and pattern of resource management, among others. The social dimension will capture gender equality, social justice, the living standard of the citizens, including access to social services like water, education, electricity, and roads. The environmental aspect reflects the character of resource exploitation, nature of environmental degradation, and level of environmental awareness among the citizens.

Legislature in National Development

In English political history, the legislature appeared in the 13th century as an assembly of knights and burgesses summoned irregularly by the monarch for consultation on taxation. By the end of the seventeenth century, the bourgeoisie had successfully used parliament to secure its political aims. Thus, parliament became the instrument by which newly powerful group in society could advance their interests and introduce innovations into and modernize the society. Parliament was used to bring development to the English society and has ever since continued to be used for this purpose. Most legislatures do this in the nations that they serve.

In modern time, legislature performs representational function. Principally, the people's representatives for the singular fact that they are elected by the people, especially under a democratic regime, hold the mandate of their constituencies within the polity (Davies, 2004). Sodaro (2007:179) put it thus: 'the essence of representative democracy lies in the delegation of governmental power and responsibility to a small number of people by the citizenry as a whole'. Consequently, legislature is expected to pursue good public policies for national development. The legislature is important, in governance generally. Its traditional function is, however, to make laws. Any actually functioning legislature, as Bone (1972) had been estimated, spends of its time fifty per cent on the passage of legislation, ten per cent on appropriations, and forty per cent on policy formation and control.

In a democracy, the legislature plays an important role in the amendment of the national constitution, selection and appointment of senior government as well as the supervision of social, political and economic conditions in the country. All these activities together promote

development in the nation. They channel societal dynamism into desirable paths (Meehan et al, 1966). Less formally than in law-making, the legislature serves as a training ground for national leaders. From their different constituencies, legislatures meet at the house and gain exposure to representatives across the nation and handle nationwide issues and affairs for and on behalf of the nation.

The legislature is very crucial in enforcing accountability and responsibility in any democratic setting. Oversight function is also a very important role of the modern legislature. Oversight function particularly appears to preoccupy modern legislatures. According to Verney (1969), the watchdog function is perhaps more important for a legislative assembly than that of law-making. The legislature provides the institutional mechanism for ensuring accountability and good governance. Stapenhurst also noted that 'In most countries, the legislature is constitutionally mandated as the institution through which governments are held accountable to the electorate'. Such oversight functions include scrutinizing and authorizing revenues and expenditures of the government and ensuring that the national budget is properly implemented. The constitutional power to participate in budgetary appropriation gives the legislature needed political influence to shape governance, and possibly carry out reforms that leads to national development. In this regard, Saffell (1989) asserted that no function of the congress is more jealously guarded or more basic to administrative control than the power of the purse. In the same vein, Fashagba (2012) affirmed that legislatures in some countries have gained a role in approving macro fiscal framework. The Nigerian legislature belongs to the class of legislative assemblies vested with preponderance of power over fiscal matters, perhaps.

Further still, the legislature promotes national unity. Members develop a sense of identification with the entire nation for which they make policies and laws and whose problems they set out to solve at each legislative session. It educates the members in practical politics. As they involve in the process of law-making and policy formation, Gross (1953) opined that legislators are exposed to the conflicting political interest, at work on each issue and how to solve the problems that are created by such conflicts. Eventually, Jewell (1997) observed that they become adepts in reconciling conflicting political interests in the nation. Thus, they move towards becoming statesmen. The legislature develops them into the proper type of manpower for the service of the nation. Where this is successfully achieved, no national development is greater than it. In sum, the legislature has as its duty as Bryce (1971: 23) observed "to give effects to the will to a free people scattered over a country or state, holding them together in one great body while also enabling each division of the population to enact laws appropriates to their respective needs".

The modern legislature serves as an agent of reform in the state. In a state where some members of parliament are ideologically inclined the desire to implement their reform agenda will greatly influence their behaviors in the assembly. As area legislature, the assembly serves as forum for discussion of ideas and policies and it provides a formal platform for deliberation among significant political forces in the life of a political system (Fashagba,2012). Conversely, the transformative legislature actively translates ideas into laws. The transformative legislature enjoys a huge measure of institutional autonomy to act on bills or policy proposals emanating either within the assembly itself or from the executive arm of the government. They mold and transform bills

and proposals into laws, irrespective of the source. All these contribute to the national development.

The Nigerian Legislature: Historical Perspective

The development of the legislative institution in Nigeria according to Adebo (1988) 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 did not perform any law making function but served as an advisory body to the colonial governor. In 1900, the protectorates of Northern and Southern Nigeria were established by the British Government to replace the administration of the Royal Niger Company and the Niger Coast, protectorate over the North and South respectively. Six years later, the colony of Lagos was annexed to the Southern Protectorate. In 1914, the two protectorates were amalgamated to form the Colony and protectorate of Nigeria (Flint, 1960). A new legislative body called the Nigerian Council comprising thirty-six members who were randomly selected and handpicked by the colonial government to represent, business and other interests. Six of the members were Nigerians. The Council just like the Lagos Council that preceded it had no legislative power and performed no legislative functions. A major constitutional development that affected the development of the legislature occurred in 1922 when the Clifford Constitution made provisions for the election of four Nigerians out of a total Council of forty-six members. The remaining forty-two members were selected, nominated or handpicked by the Colonial Governor to represent private and business interests (Crowder, 1968).

The introduction of this elective principle was carried over into the 1946 Richards' and the 1951 Macpherson Constitutions as each subsequent constitution tried to increase the number of elective Nigerians into the Colonial Legislative Council. In 1960 Nigeria became independent and adopted the Westminster Parliamentary system of government. During her first republic, Nigeria had a bicameral legislature. There were, for the Federation, the Senate and the House of Representatives and, for the Regions, the House of Chiefs and the House of Assembly. The Senate and the House of Chiefs were the Upper Houses for the Federation and the Regions respectively. The House of Representatives was made up of 312 members elected nation-wide to serve for five years and a senate of 44 members selected from the various components of the Federal System (Adebo 1988). A slight change came in the second republic. The federation retained her bicameral model which was renamed as the National Assembly but the states became unicameral systems. The same arrangement was in operation during the aborted third republic.

The basic of popular representation in the National Assembly of the second republic was both numerical and geographical. For elections to the House of Representatives, the nation was divided into electoral districts subject to the constraint that no one constituency's boundaries might lie within more than one state. Dividing the number of registered voters nation-wide (in 1979, 47.7 million) by the number of seats to be filled in the House (450), on average of every 100,000 or so voters represented by one deputy (Graf, 1988). For elections to the senate, on the other hand, representation was by geographical unit. Each of the 19 states, regardless of population, was subdivided into five approximately equal territorial constituencies, each of which returned one senator. The reason for instituting this principle of geographical representation and establishing a

second chamber related to the same complex of forces and interests that produced federalism and the federal character of Nigeria. The bicameral federal legislature in the second republic, composed of a House of Representatives of 450 members and a Senate of 96, was structured as the highest representative body of the liberal- democratic order and was the agency through which popular sovereignty was transmitted. As such it was supposed to articulate the will of the people, and its legislation was passed in the name of the people for the advancement of the national development.

Nigerian legislature and National Development

Structurally, the National assembly do have the authority and capacity to play a central role in national development. Despite the powers, functions and privileges provided for the legislature in most Nigerian constitutions after independence, however, comments and observations have shown that this organ has not lived up to expectation. The Report of Political Bureau (1987: 94) is more revealing. According to the Report:

It is a well known fact that up till 1979, legislatures were the weakest link in the making of public policies in Nigeria. Between the establishment of the Nigerian Council by Lugard soon after the amalgamation of the Southern and Northern Protectorates of Nigeria in 1914 and the end of the first thirteen years of military rule, public policy making was dominated by the executive. Indeed, a national daily newspaper in 1963 referred to the Federal Legislature as an "expensive and irrelevant talking shop."

The second and aborted third Republics' legislatures did not improve significantly in terms of their contribution to national development. The legislature in the Second Republic for example as the record indicated in its first legislative period by no means enacted its role as instrument of national development with success. The National Assembly as Graf (1988) observed, consistently spoke of the pandemonium typical of the proceedings, of discouraging absenteeism and chronic lateness on the part of members. They also found a widespread lack of understanding of the issues and even of the rules which did not, however, prevent members voting on each and every item of legislation, thus giving rise to the impression either that some members were told how to vote beforehand or that it did not matter to them how they vote. Either way, the conclusion could be drawn that the vote did not depend on the debate of issues nor conviction about them. Allegations of obstructionism and self-aggrandisement were also made. The National Assembly's reluctance to pass the first budget for almost four months, the Assembly's apparent obsession with its own emoluments and welfare as well as its role in elite formation spoke in volume about its failure in contributing to national development. Shortly after election, it proceeded to vote itself a pay package that made Nigerian lawmakers among the world's most highly paid (Graf, 1988).

The legislature in the 1999 Constitution of the Federal Republic of Nigeria exists at national, state and local government levels. At the national level it is a bicameral structure that constitutes the National Assembly: the senate which is the upper legislative house and the House of Representatives which is the lower chamber. The senate, as in the United State of America, symbolizes the equality of the states that make up the federation. It also enjoys the privilege of confirming appointment of key functionaries like Ministers and Ambassadors. The house of Representatives, on the other hand, directly represents the people. The constitution further provides for a House of Assembly in each state of the federation, while a legislative Council exists in the

local governments, performing essentially the same functions. The National Assembly has a total membership of 469 legislators. The Senate has 109 members. Each state is represented by three senators, while the Federal Capital Territory, Abuja is represented by a senator. The House of Representatives has 360 members. Unlike the Senate which the representation is based on equality of the state, representation in the House of Representatives from each state is determined by the population.

The powers, duties and functions of Nigerian legislature are well spelt out in the 1999 constitution. In section 4 of the 1999 constitution of the federal Republic of Nigeria provisions for the exercise of legislative powers by both the National Assembly and the States Houses of Assembly which powers must be exercised for purposes of achieving good governance, amongst others are made. Section 4 of 1999 constitution states

The legislative powers of the Federal Republic of Nigeria is vested in a National Assembly for which consist of a Senate and a House of Representatives. . The National Assembly 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 set out in Part I of the Second Schedule of the Constitution.

In addition the National Assembly have power to make laws with respect to the following matters:

(a) any matter in the Concurrent Legislative list set out in the first column of Part II of the Second Schedule to the Constitution to the extent prescribed in the second column opposite thereto; and

(b) any other matter with respect to which it is empowered to make laws in accordance with the provisions of the Constitution.

(5) If any Law enacted by the House of Assembly of a State is inconsistent with any laws validly made by the National Assembly, the law made by the National Assembly shall prevail, and that other Law shall to the extent of the inconsistency be void. similarly

(6) The legislative powers of a State of the Federation are vested in the House of Assembly of the State.

(7) The House of Assembly of a State shall have power to make laws for the peace, order and good government of the State or any part thereof with respect to the following matters, that is to say-

(a) any matter not included in the Exclusive Legislative List set out in Part I of the Second Schedule of the Constitution;

(b) any matter included in the Concurrent legislative list set out in the first column of Part II of the Second Schedule to this Constitution to the extent prescribed in the second column opposite thereto; and

(c) any other matter with respect to which it is empowered to make laws in accordance with the provisions of this Constitution.

The constitution recognizes the principle of separation of power by making provisions for upholding this in the constitution. The National Assembly (Senate and House of Representatives) is empowered to legislate over matters in the Exclusive list to the exclusion of the Houses of

Assembly of the state. It can also make laws in respect of matters contained in the Concurrent legislative list to the extent that is also provided in the same schedule to the constitution. The States Houses of Assembly are empowered to make laws in respect of matters contained in the concurrent legislative list as it is provided for in the schedule to the constitution. Again, the legislative houses at the federal and state levels are empowered to make laws on any other matter in respect of which the constitution has conferred powers on them to make laws. The Exclusive Legislative List contains a myriad of matters that are of national importance. These include Aviation, Banks, Commercial and Industrial monopolies, customs and excise duties, drugs and poisons, Export duties, immigration, maritime shipping and navigation, incorporation and winding up of bodies corporate, construction, alteration and maintenance of federal roads, insurance, prisons, Railways, Mines and minerals, police and security agencies, posts, telegraphs and telephones, trade and commerce etc. The concurrent legislative list contains matters over which both the federal and state houses of parliament can make laws and the extent of the exercise of such legislative powers.

Since the inception of the National Assembly in 1999, it has passed into law 195 Acts while presently, the Senate (the Upper House) has 189 bills that are pending and are in various stages. There are about 1101 bills that are pending before the House of Representatives the Lower House (Akomodele and Bosede: 2012). Some of the passed Acts are Economic and Financial Crimes Commission (EFCC) Act, the Independent Corruption and other Related Offences Commission (ICPC) Act, Niger Delta Development Commission (NDDC) Act, Freedom of Information (FOI) Act and recently, the Evidence Act. Though one can admit that the Nigerian legislature has gone through thick and thin to evolve enduring legislative culture since the beginning of the present democratic governance with the aim of evolving an enduring legislative culture and enhancing national development, it cannot, however, be said with a modicum of confidence that all is well with this important political structure. It is disheartened to note that only 195 Acts were passed by the National Assembly in about twelve years. The figure has only exposed the legislative inertia that characterizes the legislative business in Nigeria.

Stultz (1968) identified a number of characteristics common to the legislature in the Third world which apply to the legislature in Nigeria. These include the popular election of legislators, constitutional supremacy, the absence of lobbying by private interests, uninformed debates often focusing on parochial concerns of the legislators, executive dominance and a functional ambiguity proceeding from a limited decision-making role. These features, as Egwu (2005) opined are obviously shared in several respect by the legislature in Nigeria. These features to some extent impede functionality of the legislature and its contribution to national development.

It is also noted that frequent changes in the membership of the house during elections, inexperience and even ignorance of legislative proceedings often displayed by newly-elected members, leadership tussle and frequent changes in the leadership of the legislative houses, amongst others, are a clog in the wheels of national development that would have been occasioned by legislation. It has largely been observed that the first four years were spent resolving its internal squabbles and changing leadership (Eme: 2011). Passage of bills through the Houses is hectic and burdensome. It takes years for bills to move through the houses before they are passed and this trend is largely responsible for the frightening number of bills that are still pending before the two houses of the National Assembly. The financial recklessness of the houses and the near lack of decorum in which the activities are conducted have also smeared the image of the legislature such that one begins to

wonder whether or not its role is supportive of good governance. Leaders of the house have been accused and indeed impeached for financial scam while on a number of occasions, the law-makers had resorted to self-help on the floor of the house to settle issues of serious legislative importance. By the legislature, during its early history, the best wisdom of the country would be gathered according to Bryce (1971) into deliberative bodies whose debates would enlighten the people, and in which men fit for leadership could show their power. In most countries across the world, this is no longer the case. Today, there is decline in the culture and personality of the legislature. A seat in it confers less social status, and the respect felt for it has waned. The best citizens are less disposed to enter the chamber.

For Nigeria, this situation is exacerbated by design evidenced in either the Electoral Decree or the provision in the various constitutions which exclude some categories of citizens from contesting election. In its section 13f, for example, the Constitution of the Federal Republic of Nigeria 1979 enjoined that “No person shall be qualified for election to the senate or the House of Representatives “if”, stipulating in section (f), “He is a person employed in the public service of the Federation or of any state”. This same provision was repeated in Article 101(1) (f) in respect of election to a state House of Assembly. Similar provision is also made in 1999 constitution in article 66(1) f.

What, in effect, the Electoral Decree and the Constitution succeeded in doing is to deny Nigerian politics the opportunity to tap from the best political minds in the nation. Very few public officers could afford to resign from their posts and lose their years of service and the attendant benefits that could accrue to them on retirement at the appropriate age.

Again, very few among the honest and objective public officers are ever rich enough to resign from their offices for such a long period as stipulated in the Electoral Decree and still remain able not only to support themselves but also finance their electioneering campaigns successfully. Coupled with the uncertainties associated with election contests and the vicissitudes of political life, this requirement scared many honest and respectable people from leaving their jobs to contest for seats in the legislature.

With such conditionality, the Nigerian legislature as Obasanjo (2012) claimed is turned into a preserves for crooks, mediocre, riffraff's, and self-centred people. More than a decade of legislation in Nigeria, beginning from the Senate down to the Councillorship has been without any productive effect. As soon as one is elected as a legislator, it gives him the opportunity to re-marry, buy a flashy car and build a befitting apartment in the capital city and only to come to his Local Government when it is time for re-election. Each and every legislator goes home at the end of the month with something he is so proud of, depriving those who elected him of basic social amenities. A good number of them, throughout their serving tenure, never for once, oppose a motion, not to talk of initiating one.

With such people constituting the majority in its membership, the legislature could not effectively promote national development. Instead, the legislators looted and pillaged the nation at will. They fixed for themselves huge salaries and allowances completely out of suit with that of the general salary level in the country and without consideration to the ability of the nation's economy to bear

such fantastic personal emoluments. The law-makers pursued policies that enabled them to feather their own nests at the expense of the nation and reduced Nigeria, thereby, to the present deplorable state.

It is common knowledge that a good number of members of the legislative houses at both federal and state levels pursue pure selfish interests that often inhibit them from combating the challenges of law-making. Members pursue contracts from the leadership of the houses and even from the executive such that they easily compromise when it comes to contributing meaningfully to debates on the floor of the house. At times, some members resort to absenteeism from the floor of the house and do not participate at all in the proceedings. Again, many of the legislators have ambitions to contest for leadership positions in the house, membership and chairman of juicy committees as well as retain seats in next election. Apart from wasting a lot of valuable legislative time, such ambitions make the legislators stooges in the hand of the executive.

Sagay (2010) maintained that in spite of Nigeria's position as one of the world's poorest nations, with a meager per capita income of \$2, 249 per annum as against \$46, 350 of the US, the nation's federal lawmakers were the highest paid in the world, with each earning more than President Barack Obama of US. The table below compares the emoluments of legislators and their minimum wages in six countries with that of Nigeria.

Table comparing Nigerian legislators' wages with legislators' wages in other countries

Country	Legislators' pay monthly	Legislators' pay annually	Minimum wage monthly	Minimum wage annually	% of legislators' pay that is minimum wage
Nigeria	Senate N15.2m Reps N 10.6m (\$69,533)	Senate N 182m Reps N 127m (\$834,402)	N 18,000 (\$11815)	N 234,000 (\$1.536) Inclusive of 13th month salary	0.13% 0.18%
India	N 305,058 (\$1,999)	N 3.7m (\$23,988)	Varies from state to state sector to sector	-	-
US	N 2.2m (\$14,500)	N 26.5m (\$174,000)	N 191,667 (\$1,257)	N 2.3m (\$15,080)	8.6%
UK	N 1.3m (\$8,686)	N 15.9m (\$104,228)	N 283,333 (\$1,883)	N 3.4m (\$22,597)	21.68%
Sweden	N 1.2m (\$7,707)	N 14,1m (\$92,488)	Set by annual collective bargaining deal	-	-
France	N 1.02m (\$6,754)	N 12.3m (\$81,951)	N 275,433 (\$1,805)	N 3.3m (\$21,664)	26.73%
Kenya	N 2.2m (\$14,543)	N 26.7m (\$175,000)	N 10,534 (\$69,17)	N 126,413 (\$830)	0.47%

A comparative analysis of Nigerian legislators' earnings and those of other countries reveals that the former can pay many of their counterparts in other countries and still remain very rich. Moreover the comparison of legislators' earnings also reveals the unimaginable gap that exists between legislators earning and that of other categories of public servants.

Thus Sanusi (2009) the Nigeria's Central Bank governor could claim that twenty five per cent of the over head expenditure goes to the members of the National Assembly. The high cost of maintaining legislators have contributed to making Nigeria one of the poorest countries in the world even with all its potentials and resources endowments. With high unemployment rate at an all-time high of 20.1 per cent, low life expectancy, averaging 45 years for men and women, with over 70 percent of its citizens living below the poverty line, coupled with its worst economic indices of human development not only in sub-Sahara African region, but the world at large, scoring an appalling 0.511 points and ranked 158th out of 182 countries in the United Nations Development Programme (UNDP) Human Development Index (HDI) (2009), which placed Nigeria at the bottom of human development, and only managed to scale above Togo, Malawi and Niger, it is agreeable that Nigerian legislature has failed woefully to contribute significantly to the national development. In his explanation of Nigeria dismal performance ranking, the UNDP country representative in Nigeria, Dr. Tegegenework Gettu stated that although Nigeria is heavily endowed country, the report focused on the spread of a country's wealth among the people to ensure balanced development. He added that some few individuals were heavily rich but that the country's wealth did not penetrate to the majority of the people (Sowunmi, 2004).

The result of amassment of wealth by the legislature to the detriment of others is the continued decline in educational opportunities and standards. The health sector does not fare better. Many hospitals and health institutions are in a state of decadence as a result of chronic underfunding. Infrastructures such as water, roads, rails and electricity are in a deplorable state, apart from telecommunication sector where the availability of cellular phone has created new retail jobs and improved communication. Inter-bank interest rates remain prohibitively high for any worthwhile profitable ventures for those in the real productive sectors of the economy. These explain why Nigeria and Nigerian have remained poor and impoverished, in spite of about thirty three solid mineral deposits and vibrant humans' resources. While legislators at national, state, and local levels are counting their real estates in many parts of the federation and roll around in expensive flashy chauffeured cars and parade themselves as very important persons (V.I.P.) in public occasions, it is deeply appalling to observe that the country is retrogressing abysmally and the people are still in gloom.

The Nigerian legislature has failed woefully in the performance of its duties because nothing concrete and significant has been achieved in terms of poverty reduction, provision of jobs and improvement in the education sector. All that is witnessed so far is the debate on portions of the constitution and the electoral act in ways that benefit them only and not in the interest of the people. Commenting on the decline of the legislature in Britain, Bryce (1971) once wrote that party machines determine the political life and future of legislature by deciding who shall be candidate and win. This practice was also true of political parties in Nigerian fourth republic. It constituted a tremendous impairment to the capacity of the Nigerian legislature to serve as an effective instrument for national development.

Besides, most of the legislators were elected in sham elections and therefore did not consider themselves representatives of the people; neither did the voters know them as such. These are inimical to national development. Like rigging of elections, the practice of the party machines not only prevented the will of the people from prevailing, but it also made many legislators feel themselves responsible rather to the party machines than their constituencies. Strict party organization and control narrowed the discretion of representatives. They were required to vote for their parties even if that meant acting against the interest of their constituencies.

Payment of legislators deprived the law-making organ. It lowered the status performance of the legislature as well as made membership in it a profession, thereby exposing the poor members to undue anxiety to retain their seats as a means of livelihood. Apart from aiding many legislators to reveal what knaves they were, party control, rigging of elections, and professionalization of membership in the legislature cumulatively deprived the law-makers of their sense of social responsibility.

Corruption and nepotism have been the bane of public life in Nigeria. It is often rumoured that bills hardly sail through the legislature until members have had their hands greased (Akomoledé and Bosede: 2012). The implication of this, therefore, is that debates on such bills either at the plenary or committee levels cannot be subjected to thorough scrutiny in the best interest of Nigerians who are the objects of such bills eventually when they become laws. It is indeed not too gratifying that such primordial and mundane issues have roles to play in passage of bills into law.

Many legislators proved themselves great strangers to decorum as well as cultivated etiquette and morality which alone imbue leaders of the people with sacerdotal sense of duty to the public. Some of them become unimaginably arrogant and devoid of morality. On the whole, they converted the legislature into a purely private business group for themselves and subjugated the higher national interest to their private ends. Such behaviour completely negated the noble ideals which, as John Locke proposed, motivated the formation of the human society.

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

The legislature is given a lot of powers in the constitution to perform oversight functions and Act as the watchdog of the executive. The legislature screens and approves certain appointees of the executive⁸. The legislature is further empowered to even remove the President, Vice President, Governor and the Deputy Governor through impeachment procedure provided for in the constitution. Exercising of these functions by the legislature for national development is often interfered with and hampered by the executive. This is done, first and foremost, by the executive ensuring that their cronies are elected as the leaders of those houses through excessive politicking

orchestrated and funded by the executive. Again, where the legislature musters enough courage and ventures to carry out any of the oversight functions, the executive as observed Akomolede and Bosede (2012) often resorts to the use of money to pursue a “divide and rule” agenda to break the rank and file of the legislators.

With all these impediments, the Nigerian legislature could not serve as an effective instrument for national development. Many legislators were hardly aware that they were in the legislature as representatives of the people and as such owed a duty to advance the interest of the nation. They lacked a sense of commitment to the well-being of the nation.

The Way Forward

The legislature should be insulated from the influence of the executive. This influence, in most cases, is counter-productive as it is meant to sway the minds of the legislators from the serious business of law-making. For example, “The Nation” Newspaper of Sunday 26th February, 2012 reported that the House of Representative leadership is under pressure to water down the report of the Committee probing the N1.3trillion oil subsidy or dump the probe altogether for fear of indicting some perceived powerful people in government. The probe panel under the leadership of Alhaji Farouk Lawan had insisted on submitting the report first to the House. See for example, Section 88 of the Constitution that empowers the National Assembly to conduct investigations into the affairs of government.

Law-makers should be more responsible and responsive to their responsibilities. The excuse that is often given that bills take time to go through the legislature because of lack of quorum is not tenable anywhere in the world. A solution to this ugly trend may be to make the salaries and allowances payable to the law makers vary directly with the number of times they participate in the proceedings at the floor of the house. The leadership of the house should be more financially responsible. Award of contracts should follow due process and be carried out in a transparent manner. This will prevent the ugly scenario that was painted recently by the allegation of contract manipulation leveled against the immediate past Speaker of the House of Representatives. The business of making good laws to ensure good governance requires paying attention to details and obtaining as much information as possible on the subject matter of the bills before they are passed into laws. It may therefore not be possible to suggest a time frame within which a bill must be passed, but it is suggested that the committee system through which details of bills are vetted should be more strengthened to reduce the ugly incidence of bills pending before the legislature for years

It is a truism that some law-makers display such an embarrassing level of ignorance of the legislative process such that one is compelled to wonder if such persons could contribute meaningful to the process on the floors of the legislative houses. It is therefore recommended that a regime of training and retraining should be put in place to educate the law-makers on the business of law-making in the best interest of Nigerians that have elected them. It is a common knowledge today that many Nigerians do not have implicit confidence in the political process and as such are not willing to invest their time and money in it. The process is bedeviled with corruption, nepotism, thuggery, God-fatherism and chicanery to mention a few. The effect of this is that the process in some cases has produced charlatans, nit-wits, booth-lickers, shenanigans and political jobbers. The

presence of these shades of characters in the corridors of powers derogate from the notion of good governance. It is the suggestion that this process be overhauled and revamped for purposeful and result-oriented legislation that would guarantee good quality of lives for Nigerians and in the ultimate promotes good governance.

There is, indeed, a need, as Klaussner and Kuntz (1961: 493) put it, “for moral politicians, that is, statesmen who act according to principles of morality, not political moralists who adapt morality to their own interests”. In summary, for a legislature to be practically effective as an instrument of national development,

- The election process must be free and fair to allow the popular will of the people to prevail at the polls.
- Party control of the legislators has to be flexible enough to allow their discretion and freedom in decision-making.
- Membership of the legislature must comprise of moral and enlightened citizens who possess adequate sense of social responsibility and commitment to public duty.
- Regulatory agencies and authorities in Nigeria should ensure that all salaries and allowances of civil and public servants including political office holders conform to due process, constitutional provisions and existing financial rules and regulations.
- The judiciary and anti-corruption agencies in Nigeria should ensure that people including federal legislators who earn unapproved salaries and allowances are investigated and prosecuted without Further delay.

Ranged against the above criterion the Nigeria legislatures are grossly incapable of serving as effective instruments for national development. The election processes were far from fair and free. Rigging turned the actual voting into shams. Party control of the election process and the legislators resulted in depraved type of membership for the legislatures. Legislators have no sense of commitment to the development of the nation. Self-interest is their concern and they pursue it at the expense of the nation. In the end, they retard instead of promoting national development. These are among the variables that determine the effectiveness of a legislature within each national setting.

CONCLUSION

This work acknowledges the potential of the legislature as a veritable instrument of national development. It argues that the fundamental purpose for which the legislature was created is to promote national development. In practical terms, the effectiveness of the legislature in this regard depends, the paper argues, on some specific variables which include the election process, party control of the legislators, and the caliber of the membership of the legislature. The historical progression in the character of the legislature and the Nigerian experience are used to illustrate the views of the work. The work recommends among others the need for moral politicians.

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