



INSTITUTE FOR LEGISLATIVE STUDIES, ILS

UNIVERSITY OF ABUJA, ABUJA

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Topic:

BUREAUCRACY:

**ITS CONTRIBUTION TO THE ATTAINMENT OF THE MANDATE
OF THE NATIONAL ASSEMBLY IN THE FOURTH REPUBLIC**

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DATE | THURSDAY 18TH FEB. | 2016

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ASSEMBLY IN THE FOURTH REPUBLIC

By

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Being an inaugural address delivered at the

CENTER FOR LEGISLATIVE STUDIES,
UNIVERSITY OF ABUJA,

on 18th February, 2016.

INTRODUCTION

I feel highly honored and privileged to have been chosen to deliver this address on the occasion of the inauguration of the Centre for Legislative Studies. This honour is not done to me alone but the entire bureaucracy of the National Assembly.

Let me commend the leadership of the University for establishing a whole centre specifically devoted to the study of the legislature. This will not only expose the students to the role of the legislature in a democracy but also prepare them to be either future legislators or staff of the legislature.

To my mind, a topic of greater moment could not have been chosen for this auspicious occasion than the issue of bureaucracy. The term "Bureaucracy" is least known in the study of the legislature. Most scholars and commentators prefer to focus their attention on the legislative institution and its dramatis personae- the legislators. It is never considered as a course even in institutions established exclusively for legislative studies. I would be surprised if the story is different in this Centre.

In spite of the neglect of this important arm of the legislature, it is a silent contributor to the legislative process. It has its praise singers and worst critics. Its admirers see it as "the engine room of the legislature" (Suswan, 2006), " those who do the job and

without them the job will not be done" (Senator Humbert of the United States Congress), "Ablest men who run Congress" (Scholosberg, 1968), "Servants-in-charge" (Salihi, 1978), etc. On the other hand, those who frown at the growing influence of legislative bureaucrats especially in the advanced democracies particularly the US Congress have labeled them variously as "unelected representatives" (Malbin, 1980); "The Power Lovers" (McPherson, 1975) "Ghosts On Capitol Hill" (Widen, 1975) "The hidden power elite" (Alphen, 1977) " An invisible network of Hill power", "The third branch of Congress" (Johnson, 1970)" "hidden government in Washington", "invisible men who run Congress" (Evans, 1963), "the invisible force in American law making process" (Fox and Hammond, 1977)

Whatever is our perception of bureaucracy, it is at the core of modern legislatures and there is yet to be an alternative to it. It has continued to provide the major institutional support to the legislature to deliver on its mandate of law making, oversight and representation. Legislators may have numerous talents but in most cases, they do not have the extensive expert knowledge about the laws and oversight activities they are responsible for. The legislative bureaucracy has traditionally provided the needed support. In spite of its centrality, it is bedeviled by many challenges especially in the legislatures of emerging democracies such as Nigeria.

But what do we mean by bureaucracy? What is its role in the legislature. What has been its contribution to the attainment of

the mandate of the National Assembly in the Fourth Republic? These are some of the questions we shall attempt to answer in this reflection.

CONCEPTUAL CLARIFICATION

The term 'bureaucracy' has often been attacked as contrived, ambiguous, and troublesome. But for the purpose of this discussion we shall not go into any controversy regarding the meaning of the subject matter. We shall simply adopt the views of Max Weber who saw bureaucracy as consisting of large group of officials who perform defined functions in the public interest and are on the public pay roll. In the ideal case, the bureaucrat has the attributes of impartiality, expert knowledge and obedience to superiors. His duty is to comply with the rules and endeavor to execute the orders from his superior (Routledge, et al, 1976). The goal of bureaucracy therefore, is to improve collective performance and organisational efficiency.

Soyombo (1988) has tabulated the characteristics of bureaucracy as listed by a number of authors, including Weber, Litwak, Friedrich, Heady, Parsons and Hall:

- * Continuity: official business is conducted on a continuous basis. The exit of particular incumbents does not mean the end of an organization.
- * Legality and impersonality: not only is official business conducted according to stipulated rules, but the roles of incumbents are defined by law and without regard to

personalities; authority is legally defined and vested in appropriate offices; and terms of employment are also legally defined. In other words, transactions are conducted in a value-neutral manner.

- * Hierarchical conformation: each office is under the control of a higher one.
- * Accountability: ownership is separated from management, politics/policy from administration, emotions from facts, and private domicile/accounts from official business transactions.
- * Achievement: incumbents remain in offices so long as they are capable of performing designated functions. Offices cannot be sold or bought, bequeathed or inherited. Incumbents earn stipulated salaries or stipends and do not depend on gratifications, patrimonies or bribes.
- * Specialization: this flow directly from the principle of achievement. In other words, person are appointed to positions depending on the contributions which their qualifications, skills or expertise permit them to make to particular aspects of an organization's business.
- * Record keeping: official transactions are carried out on the basis of written documents.

According to the advocates of bureaucracy, a number of advantages result from its use in the performance of organizational functions. Bureaucracy serves as a vehicle for making specialization workable. Specialization enables the

organization to cope with the complexity of job activities as a result of which specialists trained on the job can easily and efficiently carry out their responsibilities. Bureaucracy therefore, enhances efficiency and productivity. The legislature is a specialized institution; a lawmaking organization. The specialized skills of the bureaucracy no doubt serve as instruments that facilitate the work of lawmakers.

Bureaucracy equally helps to give the organization some structure or form. The duties of each position clearly spelt out make for easy co-ordination of organizational activities. A very important function of bureaucracy is the provision of credibility and stability to an organization. The rules and regulations, structures, specialization and other features of bureaucracy enable it to provide credibility and stability to an organization.

The legislature in Nigeria, which has been intermittently out of function due to military interventions in governance, owes its stability and continuity to its bureaucracy.

In spite of these, a perennial concern relating to bureaucracies is the possibility that they may stray from their instrumental role to becoming the primary power wielders in an organization. The political role of the bureaucracy has therefore been a matter of continuing interest in the more developed nations, and has emerged as one of the principal issues in the discussions about the political future of developing countries.

The classic literature on bureaucracy does not ignore the problem but gives it relatively incidental attention. Weber has described the power position of a fully developed bureaucracy as “always over towering”, and called for greater emphasis on advising politicians to resist any effort on the part of the bureaucrats to gain control”

It should be pointed out that unlike other bureaucratic institutions the legislative bureaucracy is made up of two categories of staff, namely, career and ad hoc. While the career staff are permanent, pensionable and their progress in their service is based on merit, the non-career counterparts otherwise known as legislative aides are personal staff of the legislators. Their continuous stay in the office is at the instance of their principals.

In spite of the differences in the conditions of service, the two categories of staff provide very useful support to the legislature. Finally, the institution (legislature) where the bureaucracy operates:

.....bears different names like “*parliament*”, “*National Assembly*”, “*Congress*”, and the like. There is no serious contention about its definition. It 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 the government, (Lefenwa 2009).

Bureaucracy in the legislature: Instrumental or Usurpative

The primary responsibility of any legislature is lawmaking, which goes hand in hand with the oversight function. However, the legislature like any other arm of government requires a bureaucracy to effectively perform its constitutional role. The bureaucracy provides support services to the legislators so as to enable them perform their role of law making. The bureaucracy facilitates the lawmaking process from when a Bill is introduced in the Legislature to the time it is sent to the Chief Executive for Assent. The bureaucracy also assists in the drafting of Bills, Motions, and Resolutions; conduct of Public Hearings; sourcing of background information which enables the legislators to better understand legislative proposals and also keeps records of proceedings in the Chambers. The traditional method of exercising oversight function is through committee investigations and public hearings. Legislators need to know how effectively government programmes are working, how well agency officials are responding to legislative directives, and the scope and intensity of public support. These committee hearings and investigations are possible through the efforts of committee staff.

The role and by implication, the power of the legislative bureaucracy is growing. This growing influence and importance of the bureaucracy is noticeable in the British Parliament, United States Congress, German Bunderstag, Swiss Riksdag, Chambers of Deputies in Italy, and Diet in Japan. This is because the legislators rely on the bureaucrats throughout all the stages of the lawmaking process. Smith (1988) has enumerated the functions

of staff in the legislature thus:

They draft legislation, negotiate with lobbyists, exercise control over communication within and outside the legislature, participate in identifying issues and develop legislative positions. They conduct research; gather background information and draft legislation. They prepare speeches, floor statements and explanations to constituents. They coordinate legislative strategy, brief the legislator on pending legislation and at times they are expected to make some suggestions as to the course of action to be taken.

The increasing influence and power of the bureaucracy in the legislative process can be attributed to certain factors. The legislators have many issues to attend to. Time is therefore one of their greatest constraints. Consequently, they depend more and more on bureaucrats to get their work done on time. In the modern legislature, no legislator can go it alone. According to Mark (1990), "some are more inclined than others to try to micromanage their affairs, but in general, members depend on staff to handle the nuts and bolts work of a legislative office". Reliance on staff is underscored by this picture of a Member's typical day:

On a normal day, a Senators or (Representative) has two and sometime three simultaneous committee hearings, floor votes, issues,

caucuses, meetings with other congressmen from his state or region, plus lobbyists, constituents, and press to handle. He will dash into one hearing, get a quick fill-in from his staffer, inject his ten minutes' worth and rush on to the next event often told by an aide how to vote as he rushes on the floor. Only the staff specialist has any continuity with substance.

The member is consistently hops-scotching

A congressional observer affirms this view when he declares inter-alia:

A legislator's life is not an easy one. There are persistent pressures, frequent frustrations, and endless demands. A member must attend party caucuses, scurry to committee and subcommittee meetings; confer with lobbyists and executive branch officials about pending issues; greet constituents in the office (and take them to lunch); take part in the essential legislative work of debating and voting on bills on the floor; and scan memoranda, documents, staff report, newspapers, and opinion journals, often into the wee hours of the night, (Matthews, 1954).

The legislative bureaucracy has often been a source of less biased information for legislative work. Being an independent professional staff, the bureaucracy is more reliable than

alternatives from interest groups and the Executive branch officials. One experienced Democratic Senator in the U.S Congress was quoted as saying:

When the legislature depends on the executive agencies or private interest groups for research instead of relying on its sources of information, it makes its choices from the alternative offered by the interest groups or the executive.

Now we have an independent check when we have professional staff. They provide us with alternative. With adequate staff assistance, we are now able to understand bills as well as come up with legislation of our own (Balatis).

The influence and power of legislative bureaucracy is further reinforced by the links it always established through continuous interaction with its counterparts in the executive bureaucracy. These links lead to the formation of alliances, which are used to determine the final outcomes of certain public policies. Jones demonstrates the links between committee secretaries and officials of the executive branch and its effects on public policies in the U.S democracy thus:

The constitution has provided for keeping Congress and the President apart, but this is no bar against the co-mingling of their respective employees. On the Congressional side, the staff of the major committee e.g.

Defence or Foreign Affairs make common with executive department personnel to exercise significant influence over the formulation of policy. Similarly the policies determined in the executive branch are also influenced by legislative staff who use their links to administrators to continue influencing what is done.

So pervasive and powerful are these alliances that Ripley and Franklin have labeled the "sub-governments".

The nature of politics is another important factor in the increasing influence of the legislative bureaucracy in policy making. In a democracy, legislators have to periodically seek for re-election at the end of their mandate. The elections in most cases lead to the exit of experienced legislators for freshers. In a situation where experienced legislators are voted out and freshers are voted in, it is likely to affect the power equation between the bureaucracy (which is permanent) and the legislators. Fresh legislators have to learn the act of legislation from the scratch and depend on the guidance of bureaucratic staff.

The safeguard the integrity of the legislature, its bureaucracy should incorporate some elements that will ensure its neutrality and professionalism.

HISTORICAL DEVELOPMENT OF THE NATIONAL ASSEMBLY

BUREAUCRACY

The origin and development of modern bureaucracy in the Nigerian legislature is a relatively recent one, but non-the-less eventful, dynamic and segmented. It is a history that has been shaped and characterized by various events. One can possibly designate about five epochs in the development of the legislative bureaucracy. These epochs are the colonial era, the First, second, third and fourth Republics.

During the early colonial period, the legislative bureaucracy was dominated by expatriates (mainly Europeans) at the top brought from the British House of Commons to provide support services to the different legislative councils such as the Lagos colony legislative council of 1861 and the legislative councils established under the Clifford constitution of 1922, Richard constitution of 1946 and Macpherson constitution of 1951 (Bureaucracy and Law Making, 2005).

However, the legislative bureaucracy under the Littleton constitution of 1954 was a full-fledged legislative bureaucracy and it was dominated by Nigerians (Debate of the Nigerian legislature, 1954).

At the independence in 1960, the legislative bureaucracy remained virtually the same as inherited from the pre-independence period. The parliament did not require an elaborate bureaucracy because

of the fusion of power between it and the executive. Under the parliamentary system, most of the legislative work was done in the executive branch and only needed to be rubberstamped by the legislature.

The development of the bureaucracy was however affected by the military take over of 1966, which led to the dissolution of all political institutions. In the absence of the legislature, the staff of the National Assembly were redeployed to the Federal Civil Service.

However, as a result of the transition from the parliamentary to the presidential system of government in 1979, it became imperative that the bureaucratic structure be reconfigured. This became apparent as the constitution recognized the existence of the legislative bureaucracy. Thus the 1999 Constitution states as follows:

*There shall be a Clerk to the National Assembly
and such other staff as may be prescribed by
an act of the National Assembly.*

In line with this provision, the Secretary of the Constituent Assembly was appointed the Clerk to the National Assembly. But when the military took over in 1983, the National Assembly was suspended and the supreme military council (SMC) and later the Armed Forces Ruling Council (AFRC) was established to perform its

role. The National Assembly bureaucracy was once more disbanded and its staff were redeployed to the Federal Civil Service.

However, as part of the transition to the civil rule program under the General Babaginda's Regime, a Constitution Drafting Committee (CDC) was established in 1987. The staff of the defunct National Assembly were deployed to the committee to provide support services. The same staff were also used during the Constituent Assembly in 1988. The Secretariat of the Constituent Assembly was later transformed into the take-off office of the National Assembly in 1990.

Following the 1988 Civil Service Reforms, more departments in the National Assembly were created to strengthen the bureaucracy. These included among others: Finance and Supplies, Legal, Personnel Management, Planning, Library, Research, Statistics and Computer Services in addition to the Directorates of Senate and House of Representatives. Other administrative sections were Official Report, Sergeant-at-Arms, Protocol, Information and Publications which were later upgraded to Departments (Hand Book on the Workings of NASS, 1992).

When the third republic legislators were inaugurated in 1992, the National Assembly Bureaucracy was fully established and beaming with competent and trained staff. This however, was interrupted

when Gen. Sani Abacha overthrew the Interim National Government on 17th November, 1993, leading to the eventual dissolution of the National Assembly. However, unlike the previous military interventions, the National Assembly bureaucracy was not disbanded but was retained and used to midwife the National Constitutional Conference of 1994/95. After the Conference, the staff of the bureaucracy were exposed to various capacity building programmes preparatory to the return of democracy in the Fourth Republic. In 1999 when the legislature was inaugurated, the bureaucracy had less than 1000 staff. This number has risen to about 3000 permanent staff and about 3500 Legislative Aides. In addition to the NASS bureaucracy, there are support agencies such as the National Assembly Service Commission (NASC) in charge of appointments, promotion and discipline in the NASS Service, the National Institute for Legislative Studies (NILS) for capacity building and the National Assembly Budget and Research Office (NABRO) for budget analysis .

Administrative structure of NASS bureaucracy

Prior to 2014, NASS had the following administrative structure:

- * Office of the Clerk to the National Assembly (CNA), who was the Head of Service of the legislative bureaucracy.
- * Office of Deputy Clerk to the National Assembly (Permanent Secretary)
- * Directorate of Senate headed by Clerk of Senate (Permanent Secretary)
- * Directorate of House of Representatives headed by Clerk

- to the House of Representatives (Permanent Secretary)
- * Deputy Clerk of the two Directorates (Senate and House of Representatives)

Others were the following Departments headed by Directors

- Legal
- Finance and accounts
- Research, Statistics and Library services
- Information and Publications
- Procurement
- Estate and Works
- Medical services
- Personnel Management
- Planning and Legislative Budget

However, under the newly enacted National Assembly Service Act, 2014 which replaced the defunct National Assembly Act, 2000, the bureaucracy was restructured to provide for the following structures:

- * Office of Clerk to the National Assembly
- * Office of Deputy Clerk to the National Assembly
- * Directorate of Senate
- * Directorate of House of Representatives
- * Directorate of Legal Service (headed by a permanent Secretary)
- * Directorate of Finance and Accounts (headed by a Permanent Secretary)
- * Directorate of Corporate Affairs, incorporating, Personnel Management, Research, Statistics, Library, Information and Publications, as well as Planning and Legislative Budgets (headed by a Permanent Secretary)
- * Directorate of Procurement, Estate and Works (headed by

- a Permanent Secretary)
- * Directorate of Common Services, incorporating and Medical Services, Lagos Liaison Office and Special Duties (headed by a Permanent Secretary)

Also, the offices of Deputy Clerks, Senate and House Representatives as well as other forty (40) Departments were established.

The restructuring was undertaken to open up the avenue for rapid promotion for the staff of the organization who had suffered stagnation for many years as well as enable the staff of the bureaucracy to rise to the zenith of their career commensurate with their counterparts in the other arms of government.

Though the bureaucracy of NASS may seem to be bogus but it should be noted that NASS is an arm of government and each of its committee is an equivalent of a ministry, Department or Agency in the other arms of government.

In all, it could be seen that the National Assembly bureaucracy has developed from a humble beginning when few Europeans were recruited to provide administrative support services to the early legislative bodies to a giant bureaucracy that can be reckoned with anywhere in the world (Bureaucracy and Lawmaking In National Assembly, 2005)

The Contribution of Bureaucracy to the attainment of the mandate of NASS

Section 4 of the 1999 Constitution regulates the functions of the legislature. The Constitution empowers the National Assembly to make laws (policies) for the country, carry out oversight on Executive agencies, confirm the appointments, remove and determine the remuneration of certain public office holders,

review the Constitution where necessary, approve/adopt instruments and certain Executive decisions, facilitate public involvement in the legislative process etc. The core functions of the National Assembly translate into clear tasks to be performed by the legislators (Habu, 2006).

In the discharge of its mandate the National Assembly has undertaken the following with the support of its bureaucracy:

Processing of Legislative Proposals (Bills) into Legislations

Through its power of law making as stipulated in part II, section 4 (2), of the 1999 Constitution, National Assembly has passed the following Bills which were assented to by the successive Chief Executives of the country:

Table 1: **BILLS PASSED INTO LAWS IN NATIONAL ASSEMBLY 1999-2013**

S/No.	Session	Number of Bills
i.	June 1999 - May 2003	31 laws
ii.	June 2003 - May 2007	99 laws
iii.	June 2007 - May 2011	53 laws
iv.	June 2011 - May 2013	22 laws
Total		- 205

These laws were enacted from a total number of 776 Bills sponsored as follows:

Executive	45: 13%
Private	54: 87%

It is instructive to note that these laws cover areas such as:

Regulatory: National Boundary Commission (Establishment) Act 2006, Terrorism (Prevention) Amendment Act 2013, Same Sex Marriage (Prohibition) Act 2013, Nigeria Extractive Industries Transparency Initiative (NEITI) Act 2007, Electoral Act, Independent Corrupt Practices Commission (ICPC), Economic and Financial Crimes Commission (EFCC), Nigerian Communication Commission (NCC), Independent Electoral Commission (INEC) etc;

Social Affairs: Child Rights Act 2003, Pension Reform Act 2014, Compulsory, Free Universal Basic Education Act 2004, Tertiary Education Trust Fund (Establishment) Act 2011. (NHIS), etc;

Economic Affairs: Appropriation Acts, National Minimum Wage (Amendment) Act 2011, Bank and Other Financial Institutions (Amendment) Act 2002, Insurance Act 2003, The Nigerian Maritime Labour Act 2003, Small and Medium Scale Industries Development Agency (Establishment) Act 2003, Public Procurement Act 2007, Fiscal Responsibility Act 2007.

Infrastructure: Electrical Power Sector Reform Act 2005, Infrastructure Concession Regulatory Commission (Establishment etc) Act 2005, etc.

Foreign Affairs: Treaty to Establish the African Union (Rectification and Enforcement) Act 2003, Treaty to Establish African Economic Community Relating to the Pan-African Parliament (Accession and Jurisdiction) Act 2005, International Convention for the Prevention of Pollution from ships, 1973 and 1978 Protocol Act, 2007. (Source: NASS Website).

It is instructive to note that bureaucracy provided support for the enactment of these legislations in terms of sourcing of background information for the understanding of the intents of the bills, bill analysis to identify the political, economic, social and legal consequences of enacting each of the bills into law, providing technical advice to the presiding officers , enrolling the bills for assent etc.(Nnamani,)

Exercise of Oversight over Executive Agencies

The National Assembly has broad oversight functions and is empowered to establish Committees of its members to scrutinize bills and the conduct of other arms of government. The power to oversee government actions is derived under Sections 88 and 89 of the 1999 Constitution. These Sections empower the National Assembly to conduct investigations into any matter of things, the conduct of affairs of any person, authority or government department charged, or intended to be charged with the duty or responsibility for executing or administering laws enacted by the National Assembly. The National Assembly has performed commendably in the area of policy oversight, as evidenced through scrutiny of bills presented to the National Assembly and the enormous time and expertise expended on public hearings, particularly, the Appropriation Bill, visits to project sites, and monitoring and evaluation of projects. All these have exposed maladministration (corruption) in the power sector, the identity card project, capital market, the M.T. African Pride Ship and the ALSCON privatization (Okanya,2009), etc. The various oversight activities of NASS have been undertaken with the support of Committee Secretaries who plan for public hearings, visits to Ministries, Departments and Agencies (MDAs) and also project sites (Maikasuwa, 2015).

Appropriation for the different sectors of the economy

The most significant achievement of NASS is in the area of appropriation for the different sectors of the economy. In spite of the country's economic challenges, almost every sector has been appropriated for. A sector which should be of interest to us in this discussion is education. It is a fact that despite competing interests from different sectors of the society for a share of the national cake, the Nigerian Parliament has remained firm and resolute to supporting education by continuously maximizing budget allocation that is relatively increasing even though it may look constant by players from outside the parliament. The budget for education from year 2000 to 2013 is presented in the table below.

Table 2: Government expenditure on the Education sector 2000-2013

Year	Totally Federal Budget in (N' Billion) & (N' Trillion)	Education Budget (N' Billion)	% of allocation
2000	677.511	56.668	8.3
2001	894.214	62.567	6.9
2002	1,064.801	73.435	6.9
2003	976.254	78.952	8.1
2004	1,302.523	93.767	7.2
2005	1,799.938	120.035	6.7
2006	1,899.987	166.621	8.8
2007	2,309.223	189.198	8.2
2008	2,748.000	220.974	8.0
2009	3,445.410	226.676	6.5
2010	4,427.184	271.196	6.4
2011	4,484.736	356.495	7.9
2012	4,877.209	409.531	8.4
2013	4,487.220	437.478	8.8

Sources: Appropriation Acts as passed by National Assembly

The role of the bureaucracy in the appropriation process is very important. It is the legislative bureaucrats who undertake detailed analysis of the national budget, compile the figures etc (Maikasuwa, 2015).

Prompt responses to Public Petitions

Petitions are complaints or grievances against the government or other institutions by members of the public. The National Assembly in the process of discharging its basic constitutional functions, through its Committees on Public Petitions entertains petitions or complaints from the public bordering on issues such as illegal termination of appointment, wrongful dismissal, compulsory retirement, executive lawlessness, non-payment of retirement benefits, maltreatment of pensioners, regularization of promotion, unsettled salaries and wages of workers, demolition of houses in the Federal Capital Territory, sale of Federal houses etc. Since 1999, NASS has considered and granted relief to many aggrieved Nigerians. This has been possible through its committees on public petitions in the two chambers. Whenever a petition is received, it is usually documented, analysed and summarised by the secretariat headed by the Clerk (secretary) before it is presented to the Committee for consideration by the members (Nnamani, 2006)

Effective representation and Constituency Relations

Nigeria is a representative democracy. For this reason, section 14 (2) (a) of the 1999 Constitution provides that "sovereignty belongs to the people of Nigeria from whom government through the Constitution derives all its powers and authorities". The Members of the National Assembly are elected by their people to make decisions on their behalf in the parliament.

Each Member of the National Assembly represents a constituency. Therefore, apart from law-making and oversight

functions, he is also expected to perform the function of representation whereby he keeps his constituents informed of what happens in the legislature. To enable the legislators deliver on their function of representation, the NASS bureaucracy produces verbatim reports, the Mace Newspaper and Magazine and other relevant literature which the legislators can distribute to their constituents (Nnamani, 2006)

The National Assembly Passes Motions and Resolutions

A motion is a proposal or a prayer over a cause of action or a matter. A resolution on the other hand, is a decision over a motion. The National Assembly has on several occasions since inception in 1999, passed resolutions on topical national issues as countervailing structures of surveillance to monitor government activities and to stem inherent disposition towards abuse of powers by the other arms of government. The National Assembly passes these resolutions, calling on government to take certain decisions in the interest of the security and welfare of Nigerians. Instances when these resolutions were passed were when the Nigerian Labour Congress planned a nationwide strike, the increase in prices of petroleum products, and the attempted undemocratic change of power in Anambra State etc. Most of the motions and resolutions are drafted by legal drafters, researchers, committee secretaries in NASS (Nnamani, 2006).

From the foregoing, it can be seen that the National Assembly bureaucracy has contributed in no small measure to the attainment of its mandate

Challenges of the National Assembly Bureaucracy

Bureaucracy all over the world faces enormous challenges ranging from the “perception” of the bureaucracy as an

institution, to challenges of infrastructure, manpower, conflict with the political heads; interdepartmental conflicts and budget constraints.

Philosophers and social scientists, especially those who are opposed to large government organizations always make despairing remarks about the bureaucratic institutions. The term "bureaucracy" has been associated with red-tapism, tardiness, rigidity, inefficiency, etc.

Nevertheless, bureaucracy is a word that has demonstrated great staying power and most of its critics have concluded that there is more to be gained by maintaining it than abandoning it.

Apart from the negative public perception, bureaucracy in the Nigerian legislature has various problems that are peculiar to it. The first is that it has not been allowed to grow like the bureaucracy in the other arms of government such as the Federal Civil Service and the Judiciary Service. Indeed, prior to 1999 it had only existed for about 15 years since independence in 1960.

During the period of military rule, the legislature unlike other institutions was always the first casualty among the institutions that were proscribed by the military. The frequent proscriptions resulted in the absence of institutional capacity and inadequate trained manpower to handle the ever increasing challenges of legislative practice. Moreover, the long years of military incursion resulted in decay infrastructure and almost total absence of facilities to aid legislative business. It also seriously jeopardized the career prospects of many of the staff, some of whom were redeployed to the Federal Civil Service and they lost their seniority in the process.

Other challenges include conflicts between career staff and the legislators on one hand and with legislative aides on the other. The conflicts initially came in various forms including control of committees' imprest accounts, payment of legislative aides salaries and allowances, contest for office space, undue interference in establishment matters such as appointments, promotions, discipline of staff. retirement of accountable advances, imprests, award of contracts etc (Arab, 2006).

However, most of the challenges have been taken care of. For example, the manpower challenges changed for good in the year 2000 when the National Assembly Service Commission (NASC) was established to handle all establishment matters of appointments, promotion and discipline of staff of the National Assembly.

The controversy over the number and remuneration of Legislative Aides has been resolved by the Revenue Mobilisation Allocation and Fiscal Commission (RMAF), which has approved the number of Aides per legislators and also fixed the salaries of the Aides

The challenge of facilities has been reduced with the construction of more office complex for the two chambers. Also with the support of donor agencies, the National Assembly has established an Information and Communications Center (ICT), well equipped with modern facilities for the use of the legislators and staff.

The bureaucracy has also put in place research facilities such as the Department of Research and Statistics, NASS Library and National Assembly Budget and Research Office (NABRO). However, low patronage from the legislators has resulted in their

underutilization. Most of the legislators and committees rely more on “experts” and “consultants” for their research activities. This has resulted in the draining the resources of the National Assembly.

Other challenges include the over bloated size of the bureaucracy with most of the staff having no requisite skills and competencies to deliver on their mandate. The large size of the bureaucracy is a result of the mass employment undertaken in the year 2007 which was influenced by the legislators. Some of those employed were former aides of the legislators, who up till now have found it difficult to imbibe the culture of the civil service. Also, the weak intellectual capacity on the part of legislative aides is a matter of concern. Some of them were employed not on the basis of merit but simply because they had contributed to the success of their principals at the polls. Given their weak capacity, they cannot provide the needed support to their principals in terms of generation of research inputs for understanding of different legislative issues. Though NASC has always tried to ensure that the legislators bring in qualified Aides to assist them, its effort is yet to yield much result

Finally, deployment of staff is still a matter of concern. Some of the committee chairmen always insist on the posting of their preferred staff to serve as secretaries (Clerks). This affects posting on the basis of seniority, competence and experience.

Recommendation

In view of the above challenges, we wish to recommend that the bureaucracy of the National Assembly should be strengthened in

terms of capacity building, provision of requisite facilities and deployment of only competent staff to provide support services to the leadership, and committees of the two chambers. The staff posting should be devoid of lobbying from the legislators.

Also research capacity should be built through formulation of policy on research that will compel the legislators to patronize NASS Research Service instead of depending on experts and consultants who have over the years drained the resources of the Assembly.

On the conflicts between chairmen and Secretaries on one hand and Secretaries and Aides of the chairmen on the other, each one of them should be made to operate within his area of jurisdiction. Doing so will bring harmony and cooperation in the working of the committees.

Finally, efforts should be made by the legislators to enact the NABRO Act so that it (NABRO) can contribute to the appropriation process by providing the legislature with independent, unbiased and non-partisan analysis of the executive arm of government's annual budget estimates.

Conclusion

The strength of any bureaucracy is a mirror image of the strength of the institution it serves. Internal strength is critical to the legislative bureaucracy's ability to deliver effective and efficient

services to the legislature. Therefore, efforts must be made to develop the capacity of NASS bureaucracy. It should be noted that a strong bureaucracy is critical for NASS to sustain core democratic values such as equality, transparency, accountability and justice. This is what the society expects of the bureaucracy of the legislature.

Thank you for listening.

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