The Eighth National Assembly and the Fight against Corruption in Nigeria, 2015-2019

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Abstract

Corruption is endemic in Nigeria and every government comes with a promise to fight the hydra headed monster. It is also a truism that the legislature is well placed to legislate and carry out oversight and investigative duties to prevent, curb and punish corruption. This study investigated the role of the Eighth National Assembly in the fight against corruption in Nigeria. The secondary method of data collection and documentary analysis were used to generate and analyse data for this study. More so, structural functionalism was used as a framework of analysis. The study found that the Eighth Nigerian National Assembly made some concerted efforts in the fight against corruption, through the passage of bills aimed at the prevention and punishment of corrupt practices, organization of public and investigative hearings, among others. Yet, it was clear that the legislature in the period under review failed to cooperate effectively with the executive in the struggle against corruption. Thus, there was no synergy between the legislature and the executive in the fight against corruption in Nigeria. The study recommends that National Assembly Service Commission and the political parties should intensify the capacity building of the legislature for effective service delivery. Again, the civil society should actively engage the State through advocacy campaigns in the fight against corruption in Nigeria.

Keywords: Corruption, Legislature, National Assembly, Law-making and Oversight

Introduction

Corruption is arguably one of the most significant global issues in the contemporary world, impeding human and national development. The international community has recognised its harmful impact by including a specific target to fight corruption in the 2030 Agenda for Sustainable Development (United Nations Office on Drugs and Crime (UNODC, 2018). In a survey by Socio-Economic Rights and Accountability Project (SERAP, 2019), it was clear that corruption remains a serious problem in Nigeria, and affecting majority of Nigerians, despite Nigerian authorities’ oft-repeated commitment to address the problem. Similarly, in the recent ranking by the Transparency International (2019), Nigeria was the 146th corrupt country, out of the 180 ranked. While corruption is the bane of any progressive society, it stifles entrepreneurship, professionalism and erodes the values of hard work and honesty, and is one of the root causes of under-development in our society (United Nations Office on Drugs and Crime, UNODC, 2017). Over the years, corruption has remained one of the most complex problems in Nigeria, with its effect manifesting across all sectors of society with collusion across the public to private sectors.

The 1999 Constitution of the Federal Republic of Nigeria (as amended), empowers the Nigerian legislature (National Assembly) to expose corruption, inefficiency and waste in government through probe and investigations. In particular, sections 88 and 89 provides the political and operational mechanisms
specifically empowering the legislature to hold those saddled with the responsibility of executing laws made by it as well as expending resources appropriated by it accountable. The legislature is therefore, the main institutional anchorage provided for in the Constitution for the fight against corruption. In fact, the legislature appeared sufficiently equipped under the Constitution to serve as effective check on the executive and its administrative agencies in all aspects of public administration. The Constitution thus, places enormous responsibility on the legislature as far as the control of public funds is concerned.

More so, in the electioneering campaign towards the 2015 General Elections, the All Progressives Congress (APC) made the fight against corruption as one of the cornerstones of its administration. Thus, the APC administration came to power with a clear mandate to fight the monster of corruption to a standstill. As a key institution of government, it is noteworthy that the Eighth National Assembly was dominated and controlled by the governing party within the period under review. Consequently, the fight against corruption was both the most clearly articulated and the most effective in winning the votes of millions across the country (Adamolekun, 2018). It is therefore expected that the avowed fight against corruption by the APC government would receive utmost cooperation from the legislature and produce verifiable and credible results. What then was the role of the Eighth National Assembly in the fight against corruption in Nigeria?

Conceptual Review

i. Legislature

Of the three organs of the government, the place of primacy belongs to the Legislature. It is apt to submit that the function of government begins by law-making and followed by law-application and law-adjudication functions. As such, the legislature is the first organ of the government. Deriving from the Latin word ‘Legis,” the legislature connotes law. Again, as a synonym of legislature, the word ‘parliament’ derived from a French word, ‘Parley’ means to talk, discuss or deliberate. Consequently, ‘Parliament’ means the place where deliberations are held. The two notions, put together, imply that the legislature or parliament is a place where discussions are held for the purpose of law-making. Put differently, the legislature is that branch of government which performs the function of law making through deliberations. It is the arm of government which has the responsibility to formulate the will of the state and vest it with legal authority and force (Vande, 2017).

In line with the above, McLean and McMillan (2009) and Lafenwa (2006) agree that the 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 of a state and control government. Again, Alabi and Fashagba (2010) view the legislatures as elected representatives, with statutory powers of lawmaking for the smooth running of government. They also aver 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. 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, as obtained in 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 (Onuigbo & Eme, 2015). More so, McLean and McMillan (2009, p. 303) submit that “legislatures evolved from medieval bodies periodically assembled by kings in order to agree to levies of taxation…."

Consequently, the representative system of government, as practiced in Nigeria, presupposes the selection of members of government through general election to represent their constituencies in either the House of Representative or the Senate,
together known as the National Assembly (Arowolo, 2010). It is obvious from the foregoing that the Nigerian legislature is an institution which represents the common and collective interests of the citizens through the enactment of laws and the exercise of oversight functions on the activities of the executive arm of government. The legislature in a democracy exists as an independent institution which

depthens democracy and ultimately strengthens the polity.

ii. Corruption

Corruption, even though a global problem, lacks a universally accepted definition. Moreover, it is difficult to define corruption to cover the broad range of human actions that are unethical. A famous conception by Nye (1967, pp. 417-418) submits that:

Corruption is a deviation from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary exercise of certain types of private regarding influence. This includes such behaviour as bribery (use of reward to pervert the judgment of a person in position of trust); nepotism (appointment by reason of ascriptive relationship rather than merit); and misappropriation (illegal appropriation of public resources for private regarding uses).

This definition sees corruption as a deviant behaviour. Similarly, Hagher (2002, p.20) defines corruption as “the state of degradation which human beings descend to when they change from the ideal state of sound moral values and human conduct”.

More so, defining corruption as the use of public office for private gain, or use of official position, rank or status by an office bearer for his or her own personal benefit, Uyint (2000, p. 34) gives examples of corrupt behaviour to include bribery, extortion, fraud, embezzlement, nepotism, cronyism, appropriation of public assets and property for private use, and influence peddling. The Independent Corrupt Practices and Other Related Offences Commission (ICPC, 2000) defines corruption to include bribery, fraud and other related offences like gratification and the offer or promise or receipt or demand of money, donation, gift, loan and so on with the intent to influence such a person in the performance or non-performance of his/her duties. This is corroborated by Hassan, Ahmad and Abdullahi (2017) that corruption therefore includes bribery, embezzlement and the use of position power to influence decisions in order to benefit the selfish interest of those involved in it. In addition, it bribery, smuggling, fraud, illegal payments, money laundering, drug trafficking, falsification of documents and records, window dressing, false declaration, evasion, underpayment, deceit, forgery, concealment, aiding and abetting of any kind of unwholesome behaviour as well as cybercrimes, pilfering, and plagiarism, among others (Rotimi, Obasaju, Lawal & Ise, 2013). It follows that corruption is a deviation from the behaviour that is normal, moral, right and just, in order to gain undue advantage over others.

Theoretical Framework

Although there are extant competing theories in Social Sciences that can guide a study of this nature, the theory that best captures this research topic is Structural Functionalism, or simply functionalism. It is a paradigm drawn from the works of Herbert Spencer, Emile Durkheim, Talcott Parsons and Thomas Merton (Harper, 2011). This theory sees society as a complex system whose parts work together to promote solidarity and stability. This approach looks at society through a macro-level orientation, which is a broad focus on the social structures that shape society as a whole, and believes that society has evolved like organisms. The approach looks at both social structure and social functions. Functionalism addresses society as a whole in terms of the function of its constituent elements, namely; norms, customs, traditions, and institutions. For Parsons (1951), “structural-functionalism” came to describe a particular stage in the methodological development of social science rather than a specific school of thought. The structural functionalism approach is originally, a macro sociological analysis, with a broad focus on
social structures that shape society as a whole (Gad, 2003).

More so, Structural-functionalists like Almond & Powell (1966) have posited that for proper understanding of the structures (institutions) in the society, there is need to place them in a meaningful and dynamic historical context. In political analysis therefore, structural functionalism can be described as a means of explaining basic functions of the political structures in the political system. In other words, functionalism explains the relationship between the structures on one hand and between the parts and the whole on the other hand. It is thus the contributions of each structure that help to sustain the political system. The theory as propounded by Almond (1956) identified functional requirements of the political system and proceeded to explain the contributions of these functions towards the maintenance of stability of the system.

In their study of political systems, Almond and Powell (1966) considered the activities or functions from three points of view: the conversion functions of interest articulation, interest aggregation, political communication, rulemaking, rule application, and rule adjudication; the operation and capabilities of the political system in its environments; and the way in which political systems maintain or adapt themselves to pressures for change over the long term. These latter functions refer to the maintenance and adaptation functions of political recruitment and political socialization.

Situated within the present study, the above postulations have relevant applicability in understanding and analyzing the role of the legislature in the fight against corruption in Nigeria. The legislature or the National Assembly is a structure created in Nigerian political system to perform specific roles that will help bring government closer to the people, ensure development and thereby reduce poverty. As advised by Almond and Powell (1965), a historical study of the legislature in Nigeria in the modern democracy has brought to fore some of the roles of the legislature in democratic governance and how important this arm of government is in law-making, oversight and in the fight against corruption in Nigeria.

Furthermore, the idea of dysfunctionalism or disorderliness advanced by structural functionalists could be used in explaining the incapacity or inability of the national legislative body in Nigeria, the National Assembly to effectively make laws and oversight in the fight against corruption in a timely, adequate and satisfactory manner. As a system consisting of interrelated parts or components, the legislature cannot exist in isolation. Put differently, the Nigerian legislature in Nigeria consist of committees and performs different roles like representation, law-making, oversight, appropriation, among others. These functions position the legislature in a democracy as an all-important and central structure or institution that is well positioned to fight against corruption in Nigeria.

Methodology
This study made use of a secondary methodology. The source and nature of data in this work was secondary data, obtained from books, journals, magazines and other written documents found in libraries, online sources as well as government, specialised agencies, organized groups publications and other relevant documents. More so, the study relied heavily on documentary analysis, as the method of data analysis. This method ensured that the content of documents were explored in systematic ways which looked at patterns and themes related to the research questions. Though the data was largely qualitative, the study presented some of it in tabular form for easier comprehension. One advantage of this method is that the collected data was checked and re-checked for reliability. Again, as an analytical method, it identified and interpreted data already existing in documents and other forms.

The Legislature and the fight against Corruption in Nigeria
The 1999 Constitution of the Federal Republic of Nigeria provides for a presidential system of government based on the principle of separation of powers between the legislature, the executive and the judiciary. Consequently, the powers and duties of the legislature are derived from the 1999 Constitution of the Federal Republic of Nigeria, which states in
section 4(1) that “the legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation which shall consist of a Senate and a House of Representatives. Section 4(2) further mandates that “the National Assembly shall have power to make laws for the peace, order and good governance of the Federation or any part thereof with respect to any matter included in the exclusive legislative list”. As Jimoh (2019) submits, law-making constitutes the fundamental mandates of the legislature. Through law-making, the legislators have the responsibility to make laws for the orderly and good governance of the country.

Furthermore, the oversight powers of the National Assembly are enshrined in the 1999 Constitution of the Federal Republic of Nigeria (as amended), in sections 88, 89, 128 and 129 (Policy and Legal Advocacy Centre (PLAC, 2016). These sections of the constitution empowers the legislature to carry out investigations within its competence to prevent and expose corruption, inefficiency or waste in the execution or administration of laws. In particular, section 88 of the Constitution mandates the National Assembly to conduct investigations into the affairs of government. Such powers cover (a) any matter or thing with respect to which it has power to make laws; and (b) the conduct of affairs of any person, authority or government department charged, or intended to be charged with the duty or responsibility for (i) executing and administering laws enacted by the National Assembly (ii) disbursing or administering moneys appropriated or to be appropriated by the National Assembly. In exercising its powers to conduct investigations, therefore, the legislature uses investigating committees like appropriation committee, standing committees, ad hoc committees, audit committee and various other committees set up by the legislature to analyse information concerning the administration of state programmes and implementation of governmental policies as almost any aspect of governmental policies may come under legislative examination. The possibility of legislative investigation doubtless contributes to administrative responsibility and rectitude (Arowolo, 2010).

Besides, section 89 of the 1999 Constitution empowers the legislature to procure evidence, summon persons to give evidence and require such evidence to be given on oath through examination of witnesses. As Umaru (2017) indicates, the National Assembly has the power to summon persons to procure additional document or oral evidence and (where necessary) issue a warrant to compel attendance by any person so required, on the pain of punishment if they fail to attend. The legislature has the constitutional responsibility to supervise and regulate the activities of the executive arm of government of the federation to eschew waste and ensure fiscal discipline, observance of the rule of law and strict compliance in implementing laws as passed by the legislature, and execution of development programmes and policies (Nwagwu, 2014). Suffice it to reiterate that legislative oversight encourages checks and balances, it enforces fiscal discipline, good governance, accountability and transparency in public offices. It promotes accountability in government through enforcing efficiency and cost effectiveness in course of generating people-centred policies and programmes necessary to address the numerous challenges confronting governments at all levels.

The oversight of the executive and the entire governmental process is premised on the ground that the legislature enact the laws that can create administrative agencies and these in turn are assigned functions and responsibilities by such enabling laws. Suffice it to add that the principle behind legislative oversight is that legislative function does not cease with the passage of a bill. It is only by monitoring the implementation process that members of the legislature uncover any defects and act to correct misinterpretation and maladministration. In this sense, the concept of oversight exists as an essential corollary to the law making process. The necessity for the performance of oversight functions of the legislature as an essential legislative role in the practice of separation of powers is evidently understandable against the background of the absence of effective checks and limitations on the exercise of executive powers. Oversight functions not only expose corrupt practices of the administration but also control the excesses

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of the executive in governance and management of the nation’s resources.

Thus, legislative oversight is a tool used by the legislature to perform its role of checks and balances in a democracy. Legislative oversight therefore refers to the legislature’s review and evaluation of selected activities of the executive branch of government. After making a law, the legislature’s main role is to see whether laws are effectively implemented and whether the laws capture the intent of their drafters. Oversight can also be referred to as behavior by legislators and their staff, individually or collectively, which results in an impact, intended or not, on bureaucratic behaviour. Therefore, oversight is said to have an end result in, or inevitable aim of, affecting executive behaviour, if effective (PLAC, 2016).

It is clear from the foregoing that the legislature has enough constitutionally endowed powers to fight the scourge of endemic corruption in Nigeria and can make all the difference. In resolving the controversy on the applicability and power of the National Assembly to legislate on the fight against corruption in Nigeria, the Supreme Court held that based on section 4(2) and section 15(5) of the 1999 Constitution as well as items 60a, 67 and 68 in the Exclusive legislative List of the Constitution, the National Assembly is competent to legislate on corruption for the entire Federation (Onuigbo & Eme 2015). It further reiterated that section 4(2) of the constitution empowers the National Assembly to make laws for the peace, order and good government of the Federal or any part thereof with respect to matters stated in the exclusive legislative list. It also established that section 15(5) of the Constitution contains one of the fundamental objectives and directive principles of state policy. The said section directs the State to abolish all corrupt practices and abuse of power. Then item 60a empowers the National Assembly to make laws for the realisation of the fundamental objectives and directive principles of state policy (Onuigbo & Eme 2015).

The Eighth National Assembly and the Fight against Corruption in Nigeria

It has been established that the legislature has the statutory obligations for representative, law-making and oversight functions. Thus, besides performing the representative roles, the following legislations were passed by the Eighth National Assembly towards the fight against corruption in Nigeria:

Table 1: Some legislations by the 8th National Assembly to fight Corruption in Nigeria

<table>
<thead>
<tr>
<th>S/No</th>
<th>Title of Legislation</th>
<th>Year Passed</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>Whistleblower Protection Bill</td>
<td>2015</td>
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<td>2.</td>
<td>Cyber Crime Prohibition/Prevention Bill</td>
<td>2015</td>
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<td>4.</td>
<td>Public Procurement Act (Amendment) Bill</td>
<td>2016</td>
</tr>
<tr>
<td>5.</td>
<td>Mutual Assistance in Criminal Matters Bill</td>
<td>2017</td>
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<tr>
<td>6.</td>
<td>Witness Protection Bill</td>
<td>2017</td>
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<tr>
<td>7.</td>
<td>Advance Fee Fraud and Other Related Offences (Amendment) Bill</td>
<td>2017</td>
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<tr>
<td>8.</td>
<td>Petroleum Industry Governance Bill</td>
<td>2017</td>
</tr>
<tr>
<td>9.</td>
<td>Nigeria Financial Intelligence Unit Bill</td>
<td>2018</td>
</tr>
<tr>
<td>10.</td>
<td>Federal Audit Service Commission Bill</td>
<td>2018</td>
</tr>
<tr>
<td>11.</td>
<td>Financial Autonomy for Judiciary Bill</td>
<td>2018</td>
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<tr>
<td>12.</td>
<td>Financial Autonomy for Houses of Assembly Bill</td>
<td>2018</td>
</tr>
<tr>
<td>13.</td>
<td>EFCC (Amendment) Act</td>
<td>2019</td>
</tr>
</tbody>
</table>

Source: Compiled by the author, 2020.

The contribution of the legislation to the fight against corruption in Nigeria is immense. For instance, the Public Procurement Act regulates public procurement and minimises the abuse of rules, processes and standards in the award and execution of public-sector contracts (GAN Integrity, 2017). Again, the 8th Senate passed the Nigeria Financial Intelligence Unit (NFIU) Bill and was signed into law by President Muhammadu Buhari on 11th July 2018. By the Act, the NFIU has become an independent and operationally autonomous body in Nigeria.
(Onemola, 2019 and Oladele, 2019). As further submitted by Oladele (2019, p.1), “the Act repositions the NFIU by making it an autonomous agency and consequentially amends the EFCC Act and the Money Laundering (Prohibition) Act”. In addition, the House of Representatives on the 17th of July 2018, passed the Proceeds of Crime Bill, which seeks to harmonize, consolidate the existing legal frameworks and establish a central agency to manage the proceeds recovered from illegally acquired properties. The Bill provides a legal and institutional framework for the confiscation, seizure, forfeiture, recovery and management of assets or proceeds derived from unlawful activities, including instrumentalities used or intended to be used in the commission of unlawful activities (Oladele, 2019). Another important bill passed by the Eighth National Assembly is the Proceeds of Crime Bill. As Onemola (2019) posits, this bill paved the way for Nigeria to become a full member of the Financial Action Task Force (FATF).

In addition to the Proceeds of Crime Bill, the Senate also passed the Mutual Assistance in Criminal Matters Bill, which was drafted to amend the Money Laundering (Prohibition) Act of 2011 in order to create a wider legal framework that will help to restrict and prohibit the laundering of money both within and outside Nigeria. The Mutual Assistance Bill, was envisioned to help the Nigerian law enforcement agencies to receive better partnership and assistance from other government during the course of money laundering investigations by empowering law enforcement agencies to enable the identification, tracing, freezing, restraining, recovery, forfeiture and seizure of proceeds and benefits of crime wherever they are located. The Mutual Assistance Bill also expands the scope of supervisory bodies that deal with financial crimes, as well as provides protection for employees who may discover or suspect cases of ‘money laundering’ and report it to the appropriate authorities.

Furthermore, the 8th Senate also passed the Federal Audit Services Commission Bill, which is aimed at empowering the Office of the Auditor General of the Federation to ensure that Ministries, Departments and Agencies (MDAs) comply with the Fiscal Responsibility Act in the management of public funds and in the timely submission of their audited account for scrutiny. This bill, which was borne from the Senate’s oversight discovery that over 300 MDAs have not submitted their reports to the office of the Auditor General in the past years — was aimed at ensuring that institutional corruption, was tackled at the budgetary level.

To strengthen the institutional mandate of Nigeria’s justice system to fight corruption, the 8th Senate passed both the Whistleblowers Protection Bill and the Witness Protection Bill to ensure that individuals who make disclosures that aid law enforcement agencies and prosecutors in criminal and/or corruption cases do not suffer reprisals, as well as create a programme in Nigeria that allows individuals, who provide important information, evidence or give assistance to law enforcement agencies during investigations, inquiries or prosecutions, to receive protection from the government, thereby encouraging the cooperation and support of witnesses. These legislations:

i. the Whistleblowers Protection Bill, seeks to ensure that individuals that are in danger of reprisals in relation to whistleblower activities are protected under the law;

ii. the Mutual Assistance in Criminal Matters Act, sought to among other things identify, trace, freeze, restrain, recover, forfeit and confiscate proceeds, property and other instrumentalities of crime;

iii. Witness Protection Bill, is geared at encouraging witnesses of crimes, especially organized crimes, terrorism or other crimes to come forward and assist government and its agencies by offering protection to witnesses willing to provide information, and evidence for the purpose of investigations (Onemola, 2019).

Besides legislation, the two Chambers of the National Assembly conducted public hearings pursuant to the powers to do so under Sections 88 and 89 of the Constitution, and under the Legislative Houses [Powers and Privileges] Act, Cap L12 LFN. As part of its oversight functions, series of investigative hearings and probes were carried out during the life of the 8th National Assembly. One of the most
important investigative hearings was the investigation of the contract scandal in the Presidential Initiative for the North-East, where Mr Babachir Lawal, the Secretary to the Government of the Federation (SGF) was found wanting and subsequently dismissed from office. Other investigative hearings were the investigation over the state of the country's refineries and the missing N1trillion oil revenue fund; the summoning of the Minister of State for Petroleum, Dr Ibe Kachikwu to explain the decision of the Nigerian National Petroleum Corporation (NNPC) rather than the Bureau of Public Enterprises (BPE), opening bids for the sale of the three refineries in Warri, Kaduna and Port Harcourt and the summoning of the Minister of Finance, Kemi Adeosun and Minister of Budget and Planning Senator Udoma Udo Udoma, to explain the reasons behind the 2016 proposed budget mess.

Furthermore, the legislature within the time under review conducted another public hearing, involving the Minister of Labour and Employment, Senator Chris Ngige, to explain alleged recruitment scam at the Nigerian Social Insurance Trust Fund. There was also another public hearing on allegation of abuse, breach and violation of the Public Procurement Act 2007, involving the Chairman, National Pension Commission Chinelo Anohu-Amazu. In the same vein, the National Assembly held another public hearing involving the Minister of Finance, Mrs. Zainab Ahmed and the Minister of State for Petroleum, Dr. Ibe Kachikwu to explain their roles in an alleged unbudgeted funds paid as fuel subsidy. Others included the investigative hearing on the alleged N25 billion contract scam, involving the Group Managing Director of the NNPC, Maikantti Baru; the probe of the Inspector General of Police, Ibrahim Idris over allegation of corruption and abuse of office brought against him; and the investigation in the allegation of misappropriation of funds and non-remittances to the Federation Account against some revenue agencies and other ministries, departments and agencies of government.

Furthermore, through its committee on public accounts, the Senate discovered that 85 government parastatals under the leadership of Muhammad Buhari could not submit their report since the inception of the administration (Edmond & Wilson, 2018). More so, the Senate conducted an investigation on the management of the Treasury Single Account (TSA). It has been further submitted by Jimoh (2019) that in the exercise of the mandate of oversight, the legislature was able to audit both pre and post expenditure of agencies of government and to give appropriate direction on the administration and disbursement of funds and execution of programmes and projects under the Appropriation Act. He also maintained that the Public Accounts Committees of both Houses had the specific mandate to review the disbursement and administration of public funds by Ministries, Departments and Agencies. In the period under investigation, the National Assembly had conducted several investigative hearings by inviting government agencies like the Bureau of Public Procurement, Ministry of Aviation, Nigerian National Petroleum Commission (NNPC) among others, to ascertain or probe their activities within a given period in order to expose corruption, inefficiency or waste in the execution of their powers, or funds appropriated to these agencies. Regrettably, not much has come out of these; rather we have had scandals and all sorts of stories, fuel subsidy probe, and power probe, among others.

Similarly, the 8th House of Representatives had exposed corruption by conducting about 50 investigative hearings on economic crimes in the country. These include investigations on the award of contract for the rehabilitation of Nigerian Railways; Installation of close circuit television (CCTV) Cameras in Abuja and Lagos; alleged $17 billion stolen from undeclared crude oil and Liquefied Natural Gas (LNG) exports to global destinations; The investigative hearing on Centenary City Project; Pre-Shipment investigation, Amnesty programme and other several anti-corruption investigations, suspension of Mounir Gwarzo as Director General of the Security and Exchange Commission (SEC) by the Minister of Finance, Kemi Adeosun, conducted by the 8th House of Representatives (National Institute for Legislative and Democratic
Studies (NILDS, 2017). The above list of public/investigative hearings or probes during the life of the 8th National Assembly is by no means exhaustive. However, it is an indication that the legislature is well positioned to fight corruption in Nigeria.

In spite of the foregoing, it has been argued that the 8th National Assembly had rather truncated the anti-corruption stand of the Buhari Administration in its first term (2015-2019). This is because, as submitted by Musa (2018), the 8th National Assembly neglected some anti-corruption Bills sent to the legislature in order to fight corruption, especially the Special Criminal Courts Bill. It has been argued that the creation of the special criminal court system in Nigeria is one of the fastest ways to guarantee speedy adjudication of corruption cases in order to save time, cost and ensure justice is served as and when due. Again, it is important to reiterate the attempt by the Upper Chamber to hastening the passage of proposed amendment to the law setting up the Code of Conduct Bureau (CCB) and the Code of Conduct Tribunal (CCT), with a view to whittling down the powers of these anti-corruption agencies (Edmond & Wilson, 2018).

Again, as Jimoh (2019) opines, the 8th Assembly could not properly oversee the executive. It failed to curtail the excesses of the former police IG, Ibrahim Idris. The Assembly also in 2018 failed to hold the executive accountable for making extra budgetary military spending without its approval. President Buhari had withdrawn $496million from state coffers and used same for the purchase of aircraft from the United States without the National Assembly’s approval. Meanwhile, some senators called for the invocation of Section 143 of the 1999 Constitution of the Federal Republic of Nigeria to begin impeachment process of the President, a move that was stalled and dead on arrival.

There are many challenges and hurdles to the effective performance of the legislature in the fight against corruption in Nigeria. These include the weak democratic culture, occasioned by prolonged instances of military interregnum, the plague of corruption, permeating the whole society, especially, the political class, undermining legislative functions by the executive, the politically charged environment of conflicting interests and antagonism between the majority and opposition parties often resulting in a stalemates; antagonism between the legislature and the executive, with the latter often reluctant to accommodate a robust parliament that can hold it to account; and lack of adequate information, human and material resources.

**Conclusion and the Way Forward**

Corruption has eaten deep into the fabrics of the Nigerian society and no economy strives in it. It involves the violation of established norms and rules for personal gains and profit. The cankerworm has been established to be responsible for the socio-economic decay that characterise the Nigerian society. Consequently, successive administrations in Nigeria have always vowed to confront the monster. Yet, the rate of corruption in Nigeria has remained very high, stifling development and sullying the image of the country in the comity of nations. In the lifespan of the 8th National Assembly, the legislature contributed in the fight against corruption through the passage of bills, motions and oversight functions and public hearings. Some of the bills passed were the NFIU Bill, the Whistleblowers Protection Bill, the Mutual Assistance in Criminal Matters Act, Witness Protection Bill, Money Laundering (Prohibition) Act and Proceeds of Crime Bill, among others. These legislations were part of the duties that the legislature has performed in the fight against corruption in Nigeria. In spite of this, it was also clear that the 8th National Assembly had demonstrated some reluctance to cooperate with the executive in the fight against corruption in Nigeria. There were some frustrations in some of the efforts and bills initiated by the executive in the fight against corruption in Nigeria.

It was however clear that the role of the legislature in the fight against corruption cannot be overemphasised. There is no gainsaying the obvious that legislative oversight has become imperative in Nigeria in view of the substantial contribution it makes to democracy, governance and nation building.
This has made the legislature to become the central institution of representative democracy and therefore is the key to the system of division and balance of powers that characterises democracy. Consequently, the National Assembly in Nigeria has the powers to fight corruption to a standstill. Yet, it was clear that the Eighth National Assembly did not work in tandem with the executive arm of government to fight corruption. This lack of synergy between the two arms of government left much to be desired in the avowed war on corruption in Nigeria.

Given the above submissions, findings and conclusions, the following recommendations have been proffered to boost the anti-corruption war and even for further studies.

i. The framework for effective legislative scrutiny (oversight) must take into account the establishment of specific oversight mechanisms to effectively hold the executive to account for their activities. Further drafting of legislative rules and constitutional amendments should incorporate this.

ii. There is need for capacity building, continuous training and supporting legislators to ensure that they acquire knowledge on policy formulation, budgets and budgetary processes. Such training should be in collaboration with specialised international organisations such as the World Bank Institute and the International Monetary Fund (IMF). This can also be handled by the National Assembly Service Commission and the political parties.

iii. The legislature should ensure that there a synergy among the arms of government and the institutions of government in the fight against corruption. This can be done through an agreed legal framework that becomes binding on the operators of then political system.

iv. Civil society and the media should be encouraged to become actively involved in ensuring the accountability of government through advocacy campaigns and other democratic instruments. Their roles should be recognised and further enhanced through appropriate modalities and mechanisms.

v. The National Assembly should enact laws and ensure that specialised courts are established for corruption cases and with specific time frame of six months.

vi. The Legislature should enact laws, abolishing the clause on immunity from prosecution of executive, legislative, and judiciary figures from the constitution.

vii. There is need for a further study to ascertain the outcome and effectiveness of the probes and investigative hearings conducted by the legislature in the fight against corruption in Nigeria.

References


