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A Legislative Chamber or Retirement Cocoon? Nigeria's National Assembly and Former Executive Heads

Mike Omilusi ^{a, *}

^a Department of Political Science, Ekiti State University, Nigeria

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Abstract

It has become a familiar trend in Nigeria that many state governors see the national assembly as a retirement ground after an eight-year-tenure as heads of the executive arm. To many of these ex-governors, the Senate is another platform through which they could continue to be relevant and actualize their political goals as far as local and national politics are concerned. Though nothing is wrong with former governors aspiring to be senators, what is important is whether they are in the Senate to serve the interest of their constituencies or their own interest. The latter however, features prominently in the study's findings.

Keywords: executive, governors, law-making, legislature, retirement.

Introduction

Democracy is entrenched in a complex architecture of norms which is also embodied in, and implemented by, an ensemble of institutions. These include multiparty system, independent judiciary, free press, and electoral system. The stability of a democratic order in any country is ultimately determined by the extent to which such institutions are able to function in a sustainable manner (Ninsin, 2006). The state – as a political entity in which those institutions are entrenched – continues to function as the macro governance ecology within which people strive for self-fulfilment through its institutional mechanisms or arrangements. These institutional arrangements and apparatuses of democratic governance include the horizontal organs of government. Without these organs (i.e. executive, legislature and judiciary), the *raison d'être* of democracy and governance would be a mirage (Akindele, Adeyemi, Aluko, 2012). Yet, studies on consolidation of democratic governance in developing countries place less prominence on the significance of the legislature in addressing challenges of democracy. This may be due to the perceived declining role of this institution of politics. Ideally, “democratic governance operates with democratic institutions like political parties, the judiciary and the legislature, which are adduced by classical democratic theory as bulwarks of democracy. The dominant role of the legislature in democratic governance is much stressed” (Lafenwa, 2009).

* Corresponding author

E-mail addresses: watermike2003@yahoo.co.uk (M. Omilusi)

Explicitly, modern democracies are characterized by shared decision-making by the legislative and executive branches. Generally, a country's constitution formally structures this interaction. The legislature constitutes a cardinal part of the major pillars of the governance process in the democratic political systems of today's world (Gidado, 2018; Kashyap, 2018). According to Loewenberg, Patterson and Jewell (1983), legislature is a body which promulgates laws, which authenticates and legitimises commands as to what citizens of a state can do or cannot do. Basic components or characteristics of legislature include: equal status of members, law-making and representation based on free and periodic elections.

Despite the need for strong legislatures, many legislatures are overwhelmingly dominated by the executive branch. This problem is especially prevalent in emerging democracies. While democratic elections in these countries may result in multiparty legislatures, they rarely yield strong democratic institutions (Whaley, 2000). In addition to this observation, as aptly applicable to Nigerian democratic governance, there is a new trend of former state governors' desire to extend their power tentacles to the parliament- by direct participation, having in many instances, sponsored their cronies to the national assembly in previous elections while holding sway as chief executive officers in their respective states. Consequently, it has become almost predictable that most governors want to transit from government houses to the upper legislative chamber at the expiration of their terms. The growing trend has made many analysts and political observers come to the conclusion that the c has become 'a haven for retired, but not tired politicians.' Some of these state helmsmen, in the past succeeded in their mission, while others did not (Baita, 2014).

This trend is now generating concerns among Nigerians who question the real intentions of the governors going to the Senate. The bone of contention is whether the mission of the ex-governors is indeed for active law-making or a mere move to secure a platform for continuous relevance, either on the national scene or in their respective states (Ogunmade, 2013). Even though it is backed by the 1999 constitution, many believe that it is a trend seemingly obtainable only in a country like Nigeria - where continuous occupation of public offices and posturing for consistent political relevance is placed above merit and performance (Eme, Okeke, 2015). As a consequence, the purpose of this paper is to unravel the rationale for the concerns being expressed by these *analysts and political observers*, and the actual intention of the former governors within the contexts of law-making, representation and legal framework.

The Nigeria's National Assembly: A general assessment

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 Diet, Assembly, etc. The National Assembly of any country is a binding force that transforms the politics and governance of that state into a scenario that maximally addresses the yearnings and aspirations of the downtrodden. Hence, the National Assembly dictates the operational mechanism of democracy, with certain sharp contradictions arising from defined self-interest instead of democracy dictating the operations of National Assembly. The organ that epitomizes the concept of democracy is the legislature (Ninsin, 2006; Whaley, 2000).

Sagay (2010) avers that "it is the place where the public sees democracy in action in the form of debates, and consideration of motions, resolutions and bills". The legislature is a fundamental component of democratic government. Indeed, the need for strong legislatures is reflected in the very meaning of democracy: "rule by the people." In order for the people to rule, they require a mechanism to represent their wishes—to make (or influence) policies in their name and oversee the implementation of those policies. Legislatures serve these critical functions. They replicate in its ranks a broad perspective of the national political view (Norton, 2013). The legislature also serves as the primary outlet for political participation and expression. Again, it serves as a symbol of equitable representation. Even though the representatives are often unable to influence the policy outcomes of the government, they do provide their constituents with access to the system and a voice in the process, whether it be in support or dissent.

The Nigeria's National Assembly is made up of the Senate called the Red Chambers with 109 Senators and the House of Representatives called the Green Chambers with 360 Honorable Members (Reps). It is categorized, on the basis of republic, as follows: First Republic National Assembly (1960-1966), Second Republic National Assembly (1979-1983), Third Republic National Assembly (1990-1991/2), Fourth Republic National Assembly (1999-2003), Fifth National Assembly (2003-2007), Sixth National Assembly (2007-2011), Seventh National Assembly (2011-2015) and Eight National Assembly (2015-2019). The Third Republic National Assembly (1990-1991/2) was a diarchic parliament put in place by the Gen. Ibrahim Babangida's military regime, which was ousted by the Sani Abacha military coup of 1993. The core legislative power of the National Assembly consists of the 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 1 of the second schedule to the Constitution; and any other matter with respect to which it is empowered to make laws in accordance with the provisions of the constitution. The phrase "peace, order and good government" has been described as a legal formula for expressing the widest plenitude of legislative power exercisable by a sovereign legislature (Kazeem, 2013).

The National Assembly, like many other organs of the Nigerian government, is based in the federal capital territory, Abuja. In Nigeria, the constitutional responsibilities of the legislature include making laws for the peace, progress and good governance of the country. The two houses also influence government policies through motions and resolutions. However, some responsibilities are exclusive to the Senate. These include the screening and confirmation of both members of the federal executive, (known as ministers), and ambassadorial nominees. On the account of these exclusive responsibilities, the Senate is regarded as the Upper House of the National Assembly, and the House, the Lower. The Senate president is the chairman of the National Assembly. Though the Presidential system of government draws a clear line between the legislature and executive under the principle of separation of powers, members of the legislative arm have been struggling since the introduction of the presidential system of government in 1979 to be "more relevant" among their constituents by being able to bring home amenities to help in improving their quality of life. They have often run into odds with the Executive branch because constituency projects are seen as a Legislative trespass into an area reserved for the Executive. While assessing the performance of the legislature in the present fourth republic, Akomolede and Akomolede (2012), posit that majority of the members are driven more by selfish desires of wealth accumulation than the patriotic desire of leaving enduring legislative legacies by taking cue from other advanced jurisdictions of the world.

As observed by Umeagbalasi, Oguejiofor and Onwuatuegwu (2015), the lawmakers at times, arrogate to themselves the executive functions through constituency projects execution and callous demand for the sack of head of any government agency that dares to question their overbearing influence. As a result of these, the National Assembly and the State Houses of Assembly in Nigeria, fathered by the Fourth Republic National and State Legislative Chambers, have turned into business enterprises and parliamentary bazaar chambers. Notably, Okoosi-Simbine (2007) stated that, "if Nigeria is to sustain democratic rule, one of the important institutions to pay attention to at all levels of government is the legislature, the organization through which citizen opinion acquires political significance in a democratic government." However, as important as the function of the legislature in the realization of the democratic process of a nation, the Nigerian Legislature is yet to enhance democratic practice in the country. Instead, the legislators in Nigeria have dissipated so much energy on securing better condition of service for their members in cash and kind to the detriment of the people who elected them into office (Gberevbie, 2014). 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 (Akomolede, Akomolede, 2012). It is often rumoured that bills hardly sail through the legislature until members have had their hands greased (Akomolede, Akomolede, 2012; Oyewo, 2007). Consequently, 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.

Since the beginning of the current republic, the national assembly seems to constantly represent an assemblage of politicians with unrivaled exploitative tendencies when compared with other parliaments globally. Obasanjo opines that apart from shrouding the remunerations of the National Assembly in opaqueness and without transparency, they indulge in extorting money from departments, contractors and ministries in two ways, on the so-called oversight responsibility. According to Obasanjo, they do so while on visits to their projects and programmes and in the process of budget approval when they build up budgets for departments and ministries for those who agree to give it back to them in contracts that they do not execute. They do similar things in their so-called inquiries ([Premium Times, 2014](#)).

In spite of these shortcomings, there are a number of times the national assembly has proved to be a stabilizing factor in the political trajectory of the country. At the peak of the power tussle that ensued during the late Umaru Musa Yar'Adua administration, the National Assembly of Nigeria on February 9, 2010, by a resolution adopted by both Chambers of the National Assembly, following a request by the Governors' Forum, empowered the Vice-President of Nigeria to act as the President and Commander-in-Chief of the Nigerian Armed Forces following the protracted illness of the substantive president who could not be able to discharge the function of the office as required by the constitution. The doctrine of necessity was adopted by the National Assembly as a political solution to the constitutional logjam created by the failure of the president to follow the constitutional process and to avoid the lacuna created by his long absence from office. The doctrine was also used as a necessary measure to save Nigeria from imminent collapse in the face of the constitutional blockage and human contributions to the constitutional flaws. Perhaps, the doctrine of necessity applied by the Senate could be regarded as one of the greatest achievement of Senate of the Federal Republic of Nigeria as an institution.

Why ex-governors prefer the National Assembly after Tenure

Political scientists have explained why politics, which is a vocation, has become a career for the 'professional' politicians. While some aspirants perceive their next political office as a call to service to the state, others perceive the corridor of power as an avenue for private accumulation. The former works hard to erect lasting legacies. The latter merely strives for relevance and pecks of office ([Salaudeen, 2013](#)). After eight years of glamorous tenure in their respective states, the Senate has suddenly become a new found vocation for the ex-governors. For this reason, they have always employed every means to ensure their bids for the Senate to materialize during elections, while they are still sitting as governors ([Adebayo, 2011](#)). In the 2011 elections for instance, virtually all the governors who were rounding up their eight years' tenure offered themselves for the senatorial election in a bid to continue their political adventure at the Senate. While some succeeded, others failed due to possible intra party crisis which did not favour them because of the sudden overwhelming influence of the opposition parties in the states where such governors contested the election like the cases of Oyinlola, Daniel and Fayose in Osun, Ogun and Ekiti States respectively.

In nearly all democracies, leaders of the executive branch (i.e., presidents, prime ministers, cabinet ministers) typically command much of the political power, control the financial resources, possess staff dedicated to developing policies and implementing laws. They also produce the bulk of legislation, manage government contracts and administer government programs. So, after wielding such enormous power and influence, usually after eight years, why do Nigerian executive governors target the national assembly to further their political adventurism? As explained by Oke (2015), before the 2007 elections, the idea of governors running to the Senate after governing their states looked unattractive but the trend has since changed. This was possible because between 1999 [when the country returned to democracy] and 2007, the first round of constitutionally guaranteed two-term tenure of eight years has been completed. For instance, the 6th National Assembly (2007-2011) had five former governors, namely: George Akume [former Governor of Benue State], Chimaroke Nnamani [former Governor of Enugu State], Adamu Aliero [former Governor of Kebbi State], Bukar Ibrahim [former Governor of Yobe State] and Ahmed Makarfi [former governor of Kaduna State].

The seventh National Assembly witnessed more former governors joining the fray in addition to Bukar Ibrahim, George Akume and Ahmed Makarfi. This cohort was joined by former Governor of Kwara state [Bukola Saraki], former Governor of Gombe State [Danjuma Goje] and former Governor of Nasarawa State [Dr Abdullahi Adamu]. Presently, in the Nigerian Senate –the upper

chamber that has become alluring to the ex-governors- there are sixteen of them: Theodore Orji [Abia], Godswill Akpabio [Akwa Ibom], Jonah Jang [Plateau State], Aliyu Wamako [Sokoto State], Sam Egwu [Ebonyi State], Adamu Aliero [Kebbi State], Isiaka Adeleke [Osun State], Joshua Dariye [Plateau State], Kabiru Gaya [Kano State], AbbaBukar Ibrahim [Yobe State], Danjuma Goje [Gombe State], Abdullahi Adamu [Nasarawa State], Ahmed Sani [Zamfara State], Bukola Saraki [Kwara State], George Akume [Benue State] and Shaaba Lafiagi [Kwara State]. Considering the increasing presence of former governors in the Senate, many Nigerians have expressed the view that the Red Chamber may soon become an exclusive reserve for these state helmsmen if unchecked. In a statement by Senator Olorunnimbe Mamora, who was in the Senate between 2003 and 2007, “it has become the habit of former governors to see the Senate as their retirement ground. It will get to a time that the Senate will become the assembly of former governors” (Baita, 2014). Similarly, a group under the aegis of *Friends in the Gap Advocacy Initiative*, once expressed worry over the increasing number of these former state chief executives. The Executive Director of the group, George Oji, states that the trend, if not put under control, would lead to the complete hijack of the upper chamber by the former state governors. Oji notes that, “it is our further concern that rather than provide quality legislation in the Senate, the former governors see the red chamber as a platform to play all manners of ethnic and regional politics. We are seriously concerned that if the growing trend of the invasion of the Senate by ex-governors is not immediately halted, the leadership of the Senate may be finally hijacked by them, the ex-governors will form a serious power block (sic) in the Senate and the country may begin to witness the formation of another strong cartel that will continue to perpetrate their interest at the detriment of legislative functions (Information Nigeria, 2015).

In other climes, the Senate is revered for its ambience of dignity and honour, attracting men of higher virtue and decorum with the main objective of serving the people. The general view in Nigeria however, is that “they are not in the Senate to serve the people as expected but rather they are there to fulfill a personal political interest” (Adebayo, 2011). The former governors, having completed their tenure, and often feared they are likely to be made irrelevant by their successors in the politics of the state, may decide to go to the Senate where they can continue to service their political machinery and still play a major role in state and national politics without being boxed into a corner by the sitting governors. The ex-governors may have discovered that the Senate offers them a convenient platform where they could still maintain relevance in politics since politics of godfatherism does not seem to work out any more.

In addition, some of the ex-governors with corrupt charges against them while in power find the parliament (though with no personal immunity) as a safe haven- where a realignment can be made to pacify the ruling political class at the centre-rather than being private citizens. Jubril (2016) observes that there are currently 16 former governors with ongoing corruption cases in the 8th Senate. The ex-governors, according to him, form the largest trade group in the National Assembly, perhaps far more in number than manufacturers, bankers, medical doctors and professors. Hence, the inundation of their ilk in the Senate has underscored the widely held belief that they cannot survive outside politics. Jubril (2016) explains further that, when these governors leave government house, they automatically lose their immunity as stipulated by the constitution. Such immunity accompanied with the office cloaks them from prosecution. As soon as they leave the office however, the anti-corruption agencies swoop in on them. Alas, as soon as the ex-governors scale the fence from the Executive to the Legislature, the investigations lose steam and pace, going cold of all a sudden. With quite a number of such ex-governors now turned “distinguished” carrying on with liberal bail conditions from trials that have no end in sight, have given credence to the widely held perception that the former governors turned parliamentarians have found a safety-net around themselves, making it almost impossible for the anti-corruption agencies and the law-courts to deal decisively with them.

It is also argued that the presence of most former governors in the Senate is not service oriented but most likely they derive honour and prestige in being referred to as senators after completing their tenure as governors. In Nigeria, politicians do not have any consideration for hierarchy in political offices if such offices will sustain their relevance in the interim. It is always feared that being out of power could be very disastrous to their political career. In the United States of America for instance, which has set the pace for the practice of the presidential system, the practice is that governors and senators would want to become President. In terms of hierarchy, the

senator is senior to the governor. The reverse is the case in Nigeria. Many factors are responsible. The political culture of zoning, which is not backed by the 1999 Constitution, often excludes many governors from the presidential race, if it is not the turn of their geo-political zones. Yet, as party leaders in their respective states, the governors control the party structures. They personalise power and use their enormous financial muscles to a maximum advantage by dictating who gets what, where and how during elections. Since 2003, except in few instances, no governor, federal and state parliamentarian, minister and council chairman has emerged without the input and endorsement of the governor (Salaudeen, 2013).

Between law-making and money-making: Ex-governor-senators and their preference

In Nigeria, the legislature has the mandate 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 the overall aim of enhancing national development. In spite of the significance of the legislature to national development, it is clear from the Nigerian experience that it fails to play such role with expected level of success (Edet, Amadu, 2014). Though a fictional account of the activities in Nigeria's House of Representatives is given by Okediran (2010), it shows a pathetic reflection of the failure of a legislature overwhelmed by graft, greed, lack of enlightenment, viciousness and alienation from the people they are supposed to represent.

In all these, if the executive is not absolutely above board, the offending members of the National Assembly resort to subtle or open threat, intimidation and blackmail of the executive. When the executive pays the hush money, normally in millions of dollars, all is quiet in form of white-washed report and reports that fail to deal effectively with the issue (Obasanjo, 2014). As noted by Ezea (2011), "constituencies have become instruments of official corruption, fraud and lubricant of primitive accumulation for lawmakers, as constituencies across the country have never had the impact of constituency projects fund that had been given to lawmakers yearly". The two chambers are fast transforming into discredited institutions of the Nigerian state where lawmakers violate every known elements of civilized democratic principles. The responsibility of law-making is no longer the remit of prudent and honourable men, but of those who engage in profligacy and depravity. More worrisome is that fact that the cost associated with the performance of their duties does not match with actual performance. Thus, cost effectiveness, efficiency, economy, productivity and quality is lacking especially when viewed against the backdrop of their remunerations or compensation packages (Udoete, 2011). The fact that these negative legislative traits continue in the National Assembly is, according to Akindele, et al (2012), worrisome in the sense that there have been "recirculation of members of the National Assembly over the years and, one expects membership attrition and corrupt practices to have reduced in the legislative arm of the nation's democratic governance process given the fact that Legislators with such shabby political inclination must have left the Assembly through electoral defeats". The point here however, remains that such expected major defeats still remain a herculean task for the electorate. Having observed a lot of fraudulent activities in the electioneering process, they (voters) now respond with disenchantment, apathy, and lethargy towards the whole political process.

Suffice it to say that the nation's electoral process is inherently tainted with fraud and illegalities that frequently frustrates politicians with good intentions while it throws up those with questionable character. With so much at stake, candidates in previous governorship and parliamentary elections have often played dirty. Ballot box snatching and shootings marred the process in several states. It is noticeable that electoral fraud gives rise to dysfunctional constituents. When members of the electorate vote and their votes do not count, the constituencies become dysfunctional. They lose interest in voting as they feel that the election will always be rigged (Omodia, 2009). Though to win a Senatorial district out of the three in each state would not be a problem for any incumbent governor, but with the level of the people's disenchantment, one cannot comprehend why many of the governors scaled through the voters' anger at the polls and found their ways back to the National Assembly. At least, the power of the people to reject unwanted representatives at the polls was demonstrated in some states where four governors were defeated in the 2015 senatorial elections.

It could also be inferred that second term governors who do not contest for Senate are either skeptical of their chances because they underperformed as state governors or will face stiff opposition from an incumbent Senator in the district (Ilevbare, 2015). Those who made it to the upper chamber simply go into oblivion as soon as they realise that they no longer call the shots, but mere part of a wider debate. Their interest therefore, lies in what is materially accruable to them like other members. As a matter of fact, the penchant for wealth accumulation among the lawmakers is a public knowledge; a phenomenon that, in no small measure, contributes to the high cost of governance in the country. For instance, the former Central Bank of Nigeria Governor, Lamido Sanusi, revealed that 25 percent of the Federal Government's expenditure on overheads is consumed by the parliament. Prof. Itse Sagay provided facts and figures on the ridiculous salaries and allowances of the federal lawmakers. According to him, in 2009, a senator earned N240 million (US\$1.7 million) in salaries and allowances, while his House of Representatives counterpart earned N203 million (US\$1.45 million). In sharp contrast, a United States senator earns \$174,000 per annum, while a British parliamentarian earns US\$64,000 per annum (The Punch, 2011 cited in Udoete, 2011). Nevertheless, this package was applicable to Nigeria's sixth National Assembly (2007 – 2011). But due to pressure from the National Assembly for increased remuneration for its members (Senate and House of Representatives), an upward review of their salary and allowances was effected from July 2009, in line with remuneration package for political, public and judicial office holders approved by the Revenue Mobilization, Allocation and Fiscal Commission, RMAFC (Udoete, 2011). Yet, the senators have not been able to justify their huge remunerations. Thus, they lent credence to the advocacy by many notable groups and individuals that the nation's lawmakers should be engaged on a part-time basis; and should be paid per sitting.

Again, what baffles Nigerians is that while the country is groaning under economic recession due to the fall of the naira and the fluctuating price of crude oil, Senators who once served as governors are receiving a double income. A report by *Daily Trust* (Cited in Omotayo, 2016) reveals that in spite of the fact that states had to receive bailout funds from the federal government due to their inability to pay salaries, millions of naira in pensions are transferred to the accounts of former governors. Some of these governors are simultaneously receiving salaries as Senators. For instance, the law in River State provides 100 percent of annual basic salaries for the ex-governor and deputy, one residential house for the former governor "anywhere of his choice in Nigeria"; one residential house anywhere in the state for the deputy, three cars for the ex-governor every four years and two cars for the deputy every four years. In Lagos, a former governor will get two houses, one in Lagos and another in Abuja, estimated at N500 million (US\$ 1.4m) in Lagos and N700 million (US\$ 1.9m) in Abuja. Others are six brand new cars replaceable every three years; furniture allowance of 300 percent of annual salary to be paid every two years, and a close to N2.5m (US\$ 6,950) as pension. He will also enjoy security detail, and free medical care for them and their immediate families. Other benefits are 10 percent house maintenance, 30 percent car maintenance, 10 percent entertainment, 20 percent utility, and several domestic staff (Abdallah, 2016).

Also, in Kwara state, the law allows Senator Bukola Saraki, former governor of the state, to get two cars and a security car to be replaced every three years, a "well-furnished 5-bedroom duplex," furniture allowance of 300 per cent of his salary; five personal staff and three officers of the State Security Service. Yusuf Olaniyonu who is the media aide to Saraki confirmed that the governor receives all the benefits but said the money goes in scholarships to students of Kwara. He said the Senate president "directed that a special account should be opened into which the money should be paid and that it should be used for a scholarship and education programme to be administered by a Board of Trustees" (Omotayo, 2016). A former governor of Akwa Ibom State and spouse are entitled to N100m for medicals annually, while a former deputy governor and spouse are also entitled to a maximum of N30m (US\$ 83, 000). Widows or widowers married to former governors while in office are entitled to N12m (US\$ 34,000) medical allowance in a year, while those of deputy governors will take N6m (US\$ 17,000) (Adesomoju, 2016).

Other benefits in Akwa Ibom State include: Annual Basic Salary of 100 percent of annual basic salaries of the incumbent governor and deputy. Accommodation includes a house not below 5-bed maisonette in either Abuja or Akwa Ibom for the former governor; 500 percent annual basic for the ex-deputy. Transport: One car and one utility car every four years for ex-governor and deputy. Furniture also include 300 percent of annual basic salary, every four years. House maintenance: Nil. Domestic staff include an amount not above N5 million (US\$ 14,000) for

ex-governor and N2.5 million for ex-deputy to employ cook, chauffeurs and security. Medical care includes free treatment for ex-governor and spouse not exceeding - N100 million per year while N30 million (US\$ 83, 000) is allocated for ex-deputy (this provision will soon be reverted to “free” without limit following outcry). Car maintenance: 300 percent of annual basic salary. Entertainment: 100 percent of annual basic salary. Utility: 100 percent of annual basic salary. Drivers: Amount not above N5 million (US\$ 14,000) for ex-governor and N2.5 million (US\$ 6,950) for ex-deputy to employ cook, chauffeurs and security. Severance gratuity: 300 percent annual basic salary ([Pointblank News, 2014](#)). These are just three out of the 16 senators receiving pensions as ex-governors. And the question remains: how many years did they serve their states as governors to be entitled to such outrageous pensions for life?

Though the Code of Conduct Bureau (CCB) Act does not prohibit the former governors from drawing dual remuneration simultaneously. There are concerns on the financial implications on the states, particularly in a situation where 27 states are struggling to pay salaries. While this indicates that the Senators may not have breached any law, it is believed that it is morally condemnable to be getting a pension while they are still on active service. Undeniably, one may not be far from the truth to conclude that the preference of the ex-governors, going by this trend, is for wealth accumulation rather than being law-makers for the good of their constituents.

Requisite for building a strong legislature

It can be argued that, serving in the legislature of presidential systems with weak legislatures, can often impede rather than assist one’s career in politics. For instance, aspiring Mexican politicians often have little interest in running for legislative office where they may languish in relative obscurity, and instead opt for positions in the executive branch at the federal or state level ([Camp, 2000](#)). This cycle can become self-perpetuating; the legislature remains weak because it cannot attract talented politicians to strengthen it. Just like many other democracies where democratic institutions, including the legislature, are weak, the Nigerian experiment is a source of worry to many political observers and scholars alike. Suffice it to say that the National Assembly has been unable to attract vibrant and goal-oriented politicians beyond the fault-lines of partisanship, ethnic and religious affiliations, and of course, mere personal political ambition. How has this trend impacted on governance/democratic institutions in the country?

In their analysis, Johnson and Nakamura ([Lafenwa, 2009](#)), pointed out that effective legislatures contribute to effective governance by performing important functions necessary to sustain democracy in complex and diverse societies. To them, “democratic societies need the arena for the airing of societal differences provided by representative assemblies with vital ties to the populace. They need institutions that are capable of writing good laws in both the political sense of getting agreement from participants, and in the technical sense of achieving the intended purposes”. By the legislature, during its early history, the best wisdom of the country would be gathered according to Bryce (1971) as cited in Edet and Amadu (2014) 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. Yet, they are needed to strengthen the legislature through quality debates and legislation bordering on political stability, orderliness, social welfare among others. This is much desirable in Nigeria today.

Ordinarily, if put into good use and backed with patriotic intentions, the experiences of the former governors in managing the affairs of their states for eight years would have been a great asset to the national assembly as a democratic institution requiring such. Even though they were not lawmakers in their respective states, it could be argued that the business of law-making goes beyond the mastering of legislative procedure or stages of bill passage. Rather, it requires vision, service-to-humanity spirit, experience from both private and public sectors, patriotism and undiluted commitment. Thus, the country’s dire situation requires lawmakers who are genuinely committed to finding solution to problems and making life worth living for the citizens. Perhaps, that is why in its editorial, *The Guardian* (2015) enjoins Nigerians “to be more careful about those they elect to represent them. For them to have effective representation that would better their lot, Nigerians must choose those with the right qualities, those who understand and have the capacity

for the rigour of law-making that would redound to national development and bring an improvement in the lives of the citizens”.

The three arms of government may be separate in functions but united in goals, through the system of checks and balances. It is a public knowledge that the system of checks and balances allows each of the arms of government to defend its position in the constitutional framework of government. As earlier deduced in this paper, a strong and independent legislature is vital to make democracy to succeed, although there appears to be an inexorable tendency toward executive centrism in modern democracy. Expectedly, in democracies where its formal adoption of the principles of separation of powers is adhered to, the presidential system appears to provide that kind of independent and strong legislature. Hence, the principle of vesting the exercise of the three powers of government - the Legislature, the Executive and the Judicial- in three distinct organs, which Willoughby has called an organic separation of powers as distinct from a personal separation, is fundamental to the efficient working of government.

Though it should be noted that there is no absolute separation of powers anywhere –indeed, complete separation of powers is neither practicable nor desirable for effective government. Nevertheless, the overbearing influence of the executive over other arms of government is too glaring to ignore and it calls for concern in Nigeria if that institution of government is to be strengthened. The experiences of these former governors would have therefore, been more desirable in times like this but for the fact that many of them also dominated all democratic institutions in their states- the legislature in particular- like emperors while in power. Resisting such unwanted tendency from the national executive, after their elections into the Senate, becomes a moral burden. While Senators represent electoral districts, members of the House of Representatives represent constituencies. Representation, law-making, policy-making, and oversight, especially the last three, are activities that occur within the legislature and require acts of collective action on the part of all the members. The essence of strengthening the legislative institution therefore, is to make it become stronger, more effective, democratic institution and this can be done through programmes and activities which are designed to increase transparency and accountability, public participation and representation. Thus, for legislatures to properly perform the above mandated functions and responsibilities, enabling environments are required with a view to supporting efforts to create a constitutional and legal framework and building broad public support for the legislature through working with civil society and media groups.

Conclusion

The governors in the Senate may act as agents of political stability and compendium of knowledge of administration and governance. If the craving for wealth is not their goal, they can make impact as statesmen and fathers of the nation in the National Assembly. As alluded to in this paper, there is nothing wrong about former governors desiring to be senators after eight years of stewardship to their states because there is no law which says they cannot do so. What is important is whether they are in the Senate to serve the interest of their constituencies or their own interest. Judging from the statutory functions of the legislature, as enunciated in this paper, it could be pointed out that the Senate is not for people who are on holiday or for people who think it will only make them relevant as former governors. It is meant for people who are ready for the rigorous legislative duty. However, from what could be seen in the last few years of this republic, the influx of retiring governors to the Senate portends that their elections into the National Assembly are for reasons far from the desire of the people for qualitative representation and effective legislation. In a democracy, a balance must be found between competing values; and political actors must cooperate in order to compete. To be effective and stable, there must be the belief in the legitimacy of democracy, tolerance for opposition parties, a willingness to compromise with political opponents, pragmatism and flexibility are vital. Also, there should be trust in the political environment, cooperation among political competitors, moderation in political positions and partisan identifications, civility of political discourse and efficacy and participation based on the principles of political equality (Enu, Eba, 2014; Kperogi, 2016; Simbine, 2014; Udoete, 2011).

Conflicts of interest

The author declares no financial conflicts of interest.

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