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INSTITUTIONAL SNAGS TO LEGISLATIVE ACTIVISM IN CHECKS AND BALANCES IN POLICY IMPLEMENTATION UNDER EXECUTIVE ABSOLUTISM: A COAT OF MANY COLOURS IN NIGERIA PERSPECTIVE

BY

HYGINUS BANKO OKIBE
DEPARTMENT OF POLITICAL SCIENCE
FACULTY OF THE SOCIAL SCIENCES
ENUGU STATE UNIVERSITY OF SCIENCE & TECHNOLOGY

ABSTRACT

Modern democratic administration recognizes the institution of legislature as key in expressing level of compliance with basic requirements associated with checks and balances among the branches of government (executive, legislature and judiciary). The significance of checks and balances, obviously, conditions exercise of government powers, the essence being to avoid abuse of power and misuse of public funds. However, there is growing anxiety that executive absolutism is fast relegating or overshadowing checks and balances in the governance architecture of emerging democracies in the third world, which Nigeria is a part. In that regard, the objective of this study is to interrogate institutional snags to legislative activism in checks and balances, especially where there is evidence of executive absolutism in democratic governance. In this context, the study focuses on Nigeria but refers to what obtains in other climes. It is a qualitative research, dwells on documentary methods for data collection, discussed the data with content analysis model and anchored the analysis on systems theory. The findings of the study show that the varied systemic factors obstruct the neutrality of legislature to enhance its independence and effectiveness in supervising the activities of the executive branch of government in policy implementation. These factors categorized into constitutional, institutional culture, nature of party politics, and environmental factors relate to the prevailing value system and class orientation. It thus recommends the full exercise of legislative independence and operation of government based on the tenets of constitutional norms and practices.

Key Words: Institutional Snags, Legislative Activism, Checks and Balances, Policy Implementation,
Executive Absolutism: Coat of Many Colours

INTRODUCTION

Policy formulation and administrative guidelines are precursor to policy implementation. It has always been argued that, *"a common notion in public policy is that policy-making and policy implementation are divorced from each other, in the sense that politics surrounds decision-making activities (to be carried out by the elected political leadership) while implementation is an administrative activity (to be handled by bureaucracies)"*, (Chattopadhyah, 2014). Notwithstanding the fact that the perspective trended for a reasonable time past; it appears unfashionable in modern times. Experiences show that vertical division of policy formulation and implementation, as distinct provinces are insignificant in modern state system where neither of the two belongs to any particular government unit but evolves through different processes and from many sources. The elected political leadership and bureaucracy alike engage in policy politics of agenda setting for either project preferences or the priority in implementation. Both processes end up in interwoven synergy based on the diffused natures of both policy formulation and the implementation mechanisms. Therefore the idea that the two are divided seem imaginary than real; they share symbiotic relationship in terms of being catalyst in governance and promoting operational linkages among the concerned actors.

In developing political systems, it is always convenient to emphasize the distinction between policy formulation and implementation. This emphasis dissolves into rhetoric when political interference rears its ugly head at implementation level. The interference agrees with the claim that the chief executive is the sole decider of what policy to formulate and which policy to implement. The foregoing assumption lends credence to the fact that policy derives from various government decisions on intended programmes or actions, and government budget enunciates or constitutes an embodiment of legally defined policies of a state. This is more so since, "*public policy is commonly embodied in "constitutions, legislative acts, and judicial decisions, which serve as principled guide to action by the administrative executive branches of the state with regard to class of issues, in a manner consistent with laws and institutional customs"*, (Sony, 2015). It widely recognizes the credence attached to the political decision-making process when fully implemented. The implementation, no doubt, determines how the administrative executive branches observe these policies enunciated in the constitution, legislative acts, and judicial decisions and to what extent the legislative watchdog functions influence the fidelity of executive officials in policy implementation.

In other words, it is by budget that government translates policies, campaign promises, political commitments, and goals into decisions regarding where funds should be spent and how funds should be collected, (Ohanele, 2010). Thus, budget as a mega state policy, brings to climax the process by which decisions are made and implemented, (or not implemented) within government, (Rehm & Parry, 2007). It implies that a well-functioning budget system is vital for the formulation of sustainable fiscal policy and facilitation of economic growth. The decision process involves allocation of resources through the instrumentalities of the state for the attainment of public good, (Izah, 2013). Government budget, no doubt, falls under constitutional and legislative act, contained in the Appropriation Act/Law passed by the National or State Assembly, and surmises the programmes and projects intended for implementation by the government in each fiscal year. The objectives of this study, therefore, are to assess how the fidelity of watchdog functions of legislature influences policy formulation and implementation and whether it is a coat of many colours in Nigeria.

CONCEPTUALIZING POLICY

Like many other concepts in social sciences, the term policy characterizes disagreement among scholars and specialists on policy matters, either from the perspective of its definition or composition. The Cambridge Dictionary (2017) defines policy as a set of ideas or a plan of what to do in particular situations, officially agreed to by a group of people, a business organization, a government, or a political party. Similarly, the Oxford Dictionary (2017) defines it as a course or principle of action adopted or proposed by an organisation or individual. Policy can be sets of issues discreetly articulated by government or organization to form the basis for taking decisions and actions on an issue. The foregoing perspectives provide a premise for the study to adopt the definitions offered by the Business Dictionary (2017) as guides. Firstly and in its generality, it defines policy as "the basic principles by which government is guided"; and secondly, as "the declared objectives that a government or party seeks to achieve and preserve in the interest of national community".

The implementation of policy, therefore, involves the act of doing those officially agreed things, for the purpose of fulfilling set goals and promoting public wellbeing in a state. It also includes enforcing laws, rules, and principles governing public policy implementation mechanism and in accordance with a country's constitution or legislative enactments or guidelines. The preferences in implementation guideline draw their essences from the form of policy in question, whether foreign, domestic or public policy types. Each policy type has specific approaches to its implementation. The focus of the study is on public policy type, which is the means by which a government maintains order or addresses the needs of its citizens through actions defined by its constitution (Nissim, 2012).

Policies as statements of intentions, as most times expressed in budget documents, provide a needed spectacle for the government; aids its co-ordination of activities and facilitates control. To buttressing this further, Bamidele (2014) cites Olomola (2010) who argued that policy is one of the tools used to plan and direct the developmental activities of any organization. In the public sector, for instance, the budget serves as a viable tool for national resource mobilization, allocation and economic management. It also serves as an economic instrument for facilitating and realizing the vision of government in a given fiscal year. Therefore, the national (or state) budget is the most important economic policy instrument for a government and it reflects the government's priorities regarding social and economic policy more than any other document (Ogujiuba and Ehigiamusoe, 2014).

POLICY IMPLEMENTATION

When the legislature passes the Appropriation Act/Law, it becomes binding, enforceable and effectively galvanized for implementation; leading to legislative oversight (Hallerberg and Marier, 2004). Budgetary policy outline is the most important instrument by which government facilitates policy implementation. It encompasses the process of taking concrete and practical actions to ensure that items listed in the budgets are cash backed, and requisite measures taken to channel the amounts towards doing the proposed projects and programmes", (Ohanele, 2010). In essence, the projects and programmes consist of critical infrastructures, which possess the capacity to boost all sectors of the economy, enliven the citizenry through empowerment and stabilize the political system. As a result, there is a belief that effective implementation of public policy stimulates national growth, in terms of socio-economic reforms, infrastructure development and thus requires the participation of the legislature to ensure commitment of the executive in implementing the set out public policies.

There is no denying the fact that legislation is never self-implementing but always requires delegation to appropriate organization and personnel, (Afifa (2015). The implementation must be consistent with necessary legal provisions that relate to project type, the necessary regulatory guidelines; the amounts proposed in each budget item and procedures for accountability in the execution of the projects. This makes it possible to know the relationship between what is appropriated for each budget line item and what is expended from budgetary allocations. It also includes, knowingthe responsible office or personnel to hold accountable, during budget implementation. The essence is to avoid incidences of administrative misconception of the budgetary policy guidelines and thereby sabotage the provision of the needed services in the state. By similar understanding, scholars tend to share a common view on the fact that:

> *Placing a program in its perspective is the first task of implementation, and administering the day-to-day work of an established program is the second. It is because delegation and discretion permeates bureaucratic implementation that it plays a crucial role in the power structure of policymaking and policy action. Technically, the task of all public organizations and personnel is to implement, execute and enforce laws and policies (Afifa, 2015).*

The reality is that implementation is not always a well-organized rational or unidirectional process, but sometimes often messy and circular, (Brandsen and Pestoff, 2006). The reason is that conditions can change midway, thereby getting other actors involved in the process of implementation. Evidences show that each of these actors has his/her own needs and interests, and resources to exert influence on the implementation of public policy. A typical example, according to Hill and Hupe, (2014), is where many implementing agents try to influence the development of specific policies and decisions thereon, not only out of self-interest but also the fact that it could promote sectional or class interest. The result is that in some instances, policy objectives are vague and ambiguous, and difficult to measure if, and when they have been realized through implementation.

THEORETICAL FRAMEWORK

The study adopts systems theory as the theoretical framework. David Easton, Morton Kaplan, Ludwig
Bertalanffy and J.G. Miller were among early scholars that popularized the theoryas a tool in political science analysis. As analytic tool,it explains the nature of interdependence between a system and its constituent parts. Each part of the system vitally relates to other parts and system itself operates based on the principle of input - output conversion process, inclusive of other enabling environmental factors that influence how the system adapts to its changing environment, andcopes with pressures of demands or survives the constant threats associated with its inability to satisfy legitimate demands.

- A political system implies interrelatedness
- The attributes of the political system is reciprocity. The different parts depend, rely, and benefit from each other
- All the different interrelated parts usually look for a situation of equilibrium
- A political system usually has certain needs that must be satisfied or else such a system is bound to die, (Easton, 1956, Kaplan, 1957).

The key consideration in every system revolves around input. It includes not only demands but also the designed policies earmarked by the government to address those demands. Therefore, process function of the system determines how government policies are converted into tangible outcomes by the system. The system communicates the outcome of the processto the environment through feedback mechanism. Though a complex process, it underscores the levels of support or withdrawals of it that the system experiences and the nature of relationship among the different parts that make up the system. The obvious deductions from the attributes listed above are characteristics of a system:

- A system is composed of a set of units that are interrelated and identical
- Each of these parts performs important functions, which sustain the system, and ensures its survival
- The units of the system operate within a boundary and this boundary is what marks out the transactions within the system and between the system and its environment
- A system shows a structure, which is a pattern of relationship between component units
- A system has a goal towards which it works; the commonest been self preservation or resistance, (Easton, 1965, Wiseman, 1966, Osaghae, 1988)

Pertinently, a system is deemed effective and efficient when it satisfies demands and enacts policies that promote social wellbeing and economic development; otherwise, it is considered as dysfunctional. Policy implementation, no doubt, is a function of the system. The essence of constituting a political system, for instance, is to institute government and laws. Government being machinery of the state, and vested with the responsibility of translating the terms of social contract into tangible and measurable outcomes, enacts policies and makes budgetary provisions that enable it achieve its set goals. Policy implementation, therefore, involves many actors and agencies of the state. This explains why many government or public policies are not only complex or suffer serious distortions, but are influenced to produce unintended consequences. Conflict of interests among the people who formulate policies and those that implement them leaves a wide error margin on the correctness or otherwise of the policy at implementation level, which a supervisor decides.

The essence of providing for a neutral monitor on policy implementation is to mitigate the likely tendency towards abusing the process of policy implementation by those who have powers to control and expend public funds. In this regard, watchdog function assigned to the legislature plays this important role and it does this by making sure that officials entrusted with policy implementation do not relegate the mandate of expanding the scope of democracy dividend, which every government swore to do. The nature and characteristics of the system influences the form of reciprocity from the environment. Once any part of a system experiences problems, it percolates through the other parts. The interdependence of the parts and the synergy in their operations are fundamental in understanding what the system entails and how it operates in a matrix nature of relationship and achieves results. Thus, when a system is bad or in dysfunctional state, it certainly affects its environment, thereby compromising the effectiveness needed of the system to provide a platform for the whole to survive.

SCHOLARLY DEBATES ON POLICY IMPLEMENTATION AND LEGISLATIVE ROLES

There are conflicting perceptions and debates concerning the environment of policy implementation and legislature’s watchdog roles. According to Brandsen and Pestoff, (2006), it indicates that as more and more agents are put at arm’s length of the political center, oversight has been lost both literally (unknown numbers of implementers) as well as figuratively (loss of democratic control by the political center). It makes the supervision of public policy implementation by the legislature a difficult task. Oftentimes, the goal of oversight to ensure that policy implementation is in agreement with legislature’s intents and legal provisions suffers serious setback. Verhoest, et-al (2014) affirm that loss of oversight obfuscates the process of achieving accountability in the management of public funds, with consequent adverse effects on the budget performance due to poor results of implementation, including differing doubts on the effectiveness and legitimacy of public policy as instrument for service delivery to the public.

The World Health Organization Policy Document, (WHO, 2015) illustrates the relationship between proper budget implementation and fulfillment of legislative intents as expressed in Appropriation Act/Law, and lists the frameworks that guide assessment of how well a system carries out policy formulation, implementation and oversight activities and strictly complies with systemic issues like:

i. Rules, regulations, policies and procedures
ii. Risk management and control activities
iii. Information and communication
iv. Assessing performance, monitoring and reporting

Embarking on policy implementation without observing the above listed factors affects the common goals of oversight and accountability. This is because government awards contracts for project execution; pay for the services delivered to the public and invariably, expends many public funds in response to public welfare policies. The implementation of proposed projects involves carrying out administrative activities and monitoring how they are been carried out, which is the ultimate goal of legislative oversight, determines the fidelity of the implementing agencies, including the oversight process. Meanwhile, the desk of bureaucracy is where the task of implementation starts, progresses to the end and transforms into concrete and measurable action. Afifa (2015) asserts that the bureaucracy controls the personnel, resources, materials and legal powers of government and this institution receives most of the implementation directives from the executive, legislative and judicial decision makers. Since a policy or program necessarily implemented in the field emanates from the Secretariat, as proposed action plans developed by the bureaucracy, many actors involved needed to synergize.

> *Plan implementation requires cooperation, coordination and commitment at all levels of implementing machinery starting with the ministries at the Central State level through the various non-secretariat organizations in the field at district, to block or village level. Hence, policy is only as good as its implementation (Afifa, 2015).*

For the implementation to take a rightful place, scholars and policy framers insist that communication is an essential element of policy implementation. Afifa, (2015) notes that through communication, government transmits orders on how to implement policies to the appropriate personnel in a clear manner and such orders must be accurate and consistent. Therefore, communication is the means to clarify the intentions of the program, and ensure fruitful result. It means that the language of communication must be comprehensible, concise and lacking in ambiguity, otherwise, “it is not unlikely that public policy can often be controversial or passionately debated”, when the actors misinterpret the language and oversight conducted based on wrong information on the actions taken.

Hallerberg and Marier, (2004) opine that the oversight significantly reveals whether the implementation has fallen short of expectation compared with what the legislature approved and the executive funded in each annual budget, and what powers that the extant laws provided for the legislature to investigate the responsible agency for accountability. Accordingly, Rehm & Parry (2007) argue that policy implementation is a measure of good governance, especially when considered that governance is the process by which public institution conducts public affairs and manages public resources. Therefore, good governance refers to the management of government in a manner that is essentially free of abuse and corruption, and with due regard to the rule of law.

Izah (2013) further emphasizes that good governance includes institutional and structural arrangement, decision-making process, policy formulation and implementation capacity; development of personnel, information flows and the nature and style of leadership within the political system; hence, governance is largely about problem identification and solving. Therefore, problems are solved through the implementation of specific policies that relates to them. Corroborating the assertion, Ogujiuba and Ehigiamusoe (2014), argue that public expenditure at the local, state and federal government levels are incurred for the purposes of satisfying the collective social wants of the people. The aims of public expenditure policy are to accelerate economic growth, promote employment opportunities, and reduce poverty and income inequality. According to Bamidele, (2014), it translates to “fulfillment of an obligation, in a manner that releases the performer from all liabilities under the contract”. Here dwells the essence of effective policy implementation, which measures varieties of socio-economic and political indices from the performance indicators through effective oversight.

In consonance with the foregoing views, Omolehinwa, (2014) rightly observes that the indicator of budgetary policy implementation viewed from performance, measures the extent to which the budget:

i. Facilitates economic growth and development without having to allow a few people to monopolise the resources of our country,
ii. Provides jobs for our citizens,
iii. Provides enabling environment for business activities including security for all, affordable interest rate and infrastructural facilities,
iv. Convinces the generality of the people that they are not excluded from the resource allocation as the government is thinking about their problems, doing something positive about them, and thereby encouraging them to pay their taxes.

Many budgets fail to implement most of the proposed policies and programmes or achieve the stated objectives. Inversely, misinformation by the government and bureaucracy conceals their levels of implementation. The activities of these collaborating actors, the executive and bureaucracy establish to what extent effective legislative oversight ascertains the indicator of budget implementation performance. Traditionally, the executive determines the projects that the government proposes for implementation; and in partnership with the bureaucracy, undertakes proper execution of the proposed projects. The obvious implication is that accountability to show the level of fidelity in the spending of public funds by the concerned officials is an implied responsibility. This has become obvious since,

> *The execution of the budget is in the hands of the executive once funds are apportioned to spending departments in line with the approved budget" (Hallerberg and Marier, 2004).*

As a result, the legislature has constitutional mandates to monitor the executive, to make sure that the stated policies in the budget or other policy documents are fully implemented and proper accounts given by the officials. Invariably, the essences of oversight are to ascertain how the executive implements the budget, whether it provides the projects proposed in the budget in adequate numbers as listed in the enabling law, and whether the quality of work done conforms to the specifications in the implementation guidelines and according to the Appropriation Act/Law. Viewed from the foregoing context, Lienart, (2009) contends that *"the legislative oversight roles in budget implementation involves examining fidelity to budget laws, probity in spending, efficiency in choices, and the effectiveness of the budget in producing the desired outcomes"*. Watchdog roles of the legislature seek to influence how executive drives public policy to achieve improved wellbeing and sustainable developments. It makes legislative oversight over budget implementation by the executive a crucial assignment that ensures accountability, which is a measure of good governance.

In the United States of America, the National Institute of Legislative Studies (NILS, 2014) notes that their oversight functions over budget implementation, divided into three, ensures close supervision of executive activities. They fall under three committees - Authorization Committee, Fiscal Oversight and Investigative Responsibilities. Each of the committees plays significant roles in ensuring executive accountability in policy implementation.

i. Authorization Committees review federal programmes and agencies under their jurisdiction and propose legislation to remedy deficiencies they uncover;
ii. Fiscal Oversight is assigned to Appropriation Committees which scrutinize the spending of the agencies of government; and
iii. Investigative Responsibilities vested in the House Committee on Government Operations probes the inefficiency, waste and corruption in the federal government.

Nevertheless, Corder, Jagwanth and Soltau (1999) hold the views that while the oversight role of a legislature may entitle it to hold a person accountable, the concept of oversight is a wider one than accountability alone. The foremost among the powers of the legislature is the power to hold the executive accountable. In the process of carrying out oversight function (apart from the law-making function); a legislature may need to hold organs of state accountable. For the foregoing reason, it closely monitors implementation of the budget by scrutinizing information on actual spending. An example is the ministerial responsibility (commissioner at state level) which demands that they answer or give an account, submit to scrutiny, make redress for wrongs and correct errors.

INSTITUTIONAL SNAGS TO LEGISLATIVE ACTIVISM IN GOVERNANCE

Many factors inhibit the conduct of lawmaking and oversight, especially in most third world countries. These factors could emanate from the nature of the political system, the prevalent value system, and levels of executive overbearing influence on governance process. Others include the party system, electoral system, mode of ascensions unto political positions, the nature of power relations among political gladiators, and perhaps, the nature of the political economy, including other environmental factors. Nakamura and Johnson (2003) cite different case scenarios in Uganda and Kenya to make generalized submissions to the effect that despite the strategic roles of legislature, regrettably, in some African countries, "parliaments are weak, ineffective and marginalized" by the executive. Unfortunately, they could not situate the cause of the problem or explain why it persists. Hubbard (2012) exhumes the missing indicators when he states unequivocally that political interference and lack of resources in particular, have hampered parliamentary oversight in some Commonwealth States. This may be commonplace also in other climes where legislature exists.

However, in the case of Nigeria, Theletsane (2013) argues that despite the parliamentary privileges, which the National and State Assemblies enjoy, there are instances where government departments ignore parliamentary committees' reports and recommendations and such actions can be a threat to democracy and good governance. As much as that is a widespread systemic problem in Nigeria, virtually all other political systems, structured or patterned along autocratic model with exuberant sense of absolutism, suffer the same problem. Studies suggest that the factors surrounding failure of accountability by the executive in policy implementation through legislative oversight, relate to the inability of the legislature to invoke its powers, probably due to inherent intrusion by external factors. Thus, even when it is a fact that the executive is under constitutional obligation to render accounts of its activities, it does not easily surrender itself to legislature for oversight, (Owasanoye, 2001).

Nonetheless, Oni (2013) observes that lack of political will is the breeding ground for improper performance of legislative functions, and it culminates in poor implementation of government's policy and consequently, lack of accountability. This is unlike developed democracies, where interests motivated by national goals encapsulate public policy objective and generate virile politics of constructive criticism and not confrontation between the executive and legislature on matters that revolve around legislative oversight functions. According to Okibe (2000), part of the ugly trend in executive-legislature relationship or interdependence in many African states is rooted in the internal dynamics of their political system and governance structure. For example, prolonged dictatorial rule by the military, which out-rightly either proscribed the legislature or completely subordinated it to the executive branch, midwife obnoxious political culture that promotes profligacy, executive autocratic posture and the consequent unhidden displeasure with legislative oversight over its activities. It results in unwholesome and unwarranted executive interference in the functions of legislature.

In consonance, Motha (2016) considers that such feuds between the executive and legislature is rather a disincentive to accountability and good governance, especially when the executive tries to sideline the legislature from conducting oversight over its activities. In every government's operation, accountability in policy execution is the hallmark of oversight, and legislatures with their workforce of democratically elected members represent one of the central pillars of democratic process. In most political systems, studies reveal that the phenomenon of political interference is pervasive and largely derails the functions of the legislature. Nwagwu, (2014) cites the case of National People's Congress in China, where *"control by a monopolistic party, and party loyalty has turned the assembly into a mere propaganda weapon, with government policy nearly always being approved by unanimous votes"*. This means that party discipline also constrains parliamentary scrutiny of the executive. Ironically, the ruling political parties ideologies tend to augment executive penchant to retain its overbearing influence, sustain its superior toga and consolidate its political power at the expense of legislature. At any point legislature is sandwiched in governance, it compromises on watertight oversight by bowing to executive interests. It thus relegates effective oversight, which is a robust mechanism institutionalized to checkmate the excesses of the executive arm of government and its agencies to curb waste in governance, corruption, and absolutism in the exercise of political power.

On the other hand, Leni and Pilar (2012) exemplify the cases in Uganda and Zambia, where dominant party rule contributes to weakening the parliament. The development promotes political practices of clientelism, patronage and widespread corruption. In Uganda, the public generally view parliament as weak in its oversight and scrutiny functions, despite some activism in committees such as the Public Account Committee. Additionally, the state accountability institutions, such as the Auditor-General, the Inspector General of Government and Ministry of Ethics are seen as poorly resourced, which undermines their effectiveness, especially the Auditor-General which is seen as lacking independence. For Zambia, it is observed that the parliament is given too little time to go through the budget properly during budget planning, which means that it rarely questions its content. They lack the capacity to carry out their mandate to monitor the executive in an effective way. It reflects in institutional limitations and lack of enabling political environment, which allow due process to thrive.

In fact, Ezeani (2010) alludes to this when he declares that in spite of the importance of legislative oversight in contemporary democratic governance, it has been controversial in all ramifications in the political scene, and has remained the major source of executive and legislative conflict. It is no doubt, the consequence of the executive domineering style of leadership. The shortcoming does not only inhibit effective performance of legislative function but serves as catalyst for corruption. According to Nwagwu (2014), executive meddling role in the functions of legislature engenders a situation where,

> *Corrupt legislative oversight has been institutionalized as the foundation of governance at all levels of government in Nigeria. Institutions' decay is unprecedented as available meager resources are siphoned and opportunities for good governance are derailed and debased. This undermines accountability, responsible government as due process is subverted and subsisting laws, rules, and regulations are compromised for selfish aggrandizement*.

Thus, relegation of legislative oversight is not peculiar to Nigeria but prevalent in other climes. Amoateng (2012), Gyampo and Graham (2014) examine the problems associated with the executive muzzling of legislative independence and the dangers it pose to legislative oversight over executive activities. Using Ghana's hybrid arrangement, they note that the appointment of majority of ministers from parliament is to the disadvantage of the legislature. Making reference to Article 78(1) of the 1992 Constitution of Ghana, it was observed that provisions made therein undermines the spirit of separation of power between the executive and legislature, and thereby affects the oversight role of the Parliament. Gyampo and Graham (2014) specifically posit that the provisions are such that:

> *The arrangement weakens the oversight role of parliament and leaves the executive unfettered in the sense that parliamentarians who are also ministers cannot question colleague ministers on the floor of parliament as required because they serve in the same government.*

In addition, parliamentarians who are also ministers owe collective responsibility for all government decisions and hence are unable to criticize the government on the floor of parliament. The few MPs who are not ministers also join their colleagues in singing the praises of the government so they can also benefit from ministerial appointment. Nevertheless, Staronova (2015) in another study on oversight mechanism for ''Regulatory Impact Assessment'' (RIA), associates executive domineering roles with lack of regulatory mechanism for effective oversight functions. There is lack of operational framework to boost political accountability, and no qualitative training to facilitate expertise, co-ordination and harnessing of mandate/functions. The corresponding indicators manifest in the problems commonly identified in oversight mechanism blamed on systemic factors. Coincidentally, five Central and Eastern European countries (i.e. the Czech Republic, Estonia, Hungary, Slovekia and Slovenia), possess different attributes based on ''Regulatory Impact Assessment'' on oversight.

> *In Slovenia, their RIA unit faces hierarchical problems or unclear status due to multiple actors stepping into oversight. In Estonia, RIA unit is linked to formal quality of drafting laws. In the case of Hungary, RIA research center is a hub for data provision/storing and forecasting models. There is a combination of RIA central unit with independent RIA advisory committee directly linked to the decision-making body in the Czech Republic, (Staronova (2015).*

The countries have differing bureaucratic contexts, governmental capacities and policy process, strength of institutional oversight, co-ordination and their support activities. Each country lags in bridging the gap, which reinforces the predominance of institutional fragility and lack of support that transform into unproductive oversight activities. Mismanagement of state resources, abysmal failures in policy execution, abuse of political power and corruption, characterize the entire spectrum of government operations. Similar study by Lemos (2010) on legislative oversight over executive branch in six democracies in Latin America, (i.e. Argentine, Bolivia, Brazil, Colombia, Peru and Venezuela), examines the nature of political influence on the performance of their legislative functions. The selected countries are all presidential regimes, and experienced interruptions in their democracies and overt conflict over time. For example, all but Venezuela are flawed democracies, Venezuela is rather a hybrid regime; Argentine, Brazil, Colombia and Peru are described as ‘‘free countries’’, whereas Venezuela is ‘‘partly free’’. The study underscores the reactive nature of legislatures when compared to the powerful executives of the respective countries. Therefore, systemic factors, which derail effective oversight in each of the countries and reignites executive interference, lay in the fact that:

> *The countries differ in their electoral systems that determine members of parliament and oversight roles; including in their rule of law, regulatory quality, government effectiveness, voice and accountability, political stability and the control of corruption, (Lemos, 2010).*

Each country suffers undue political interference in the oversight functions of the legislature. This is despite the fact that, firstly, all countries afore-cited have the summoning powers of authority, some with a very interesting sanctioning mechanism, similar to the recall in the parliamentary system. Secondly, all countries are empowered with inquiring the executive branch, be it in written or oral form or both; and thirdly, all countries have special investigation powers, that can be performed either individually, or through the standing and temporal committees specially created to scrutinize a specific issue, (Lemos, 2010); but each has peculiarities that hinder the exercise of the powers. In another development, Ahmed and Khan, (1995) and Awel, (2011) studied Federal Democratic Republic of Ethiopia (FDRE), to evaluate parliamentary oversight over executive and the extent it ensures constitutionalism and accountability in Ethiopia based on the 1995 Constitution and other proclamations thereto, especially Article 55. They generally assert that operation of political system based on checks and balances engenders accountability, entrenches platform for executive-legislature mutual trusts and makes the synergy sustainable when legal norms neutralize jurisdictional conflicts.

However, they captured interpersonal relationship and not institutional structure in relation to their independence from each other. Awel (2011), notes thatthe executive is not only chosen from the legislature but also primarily from the leadership of the majority party. The strong party-based and one party dominance system that exists in Ethiopia (like many other political systems) derail the independence of their legislature (House of Peoples Representatives - HPR) from the executive branch. Ahmed and Khan (1995) corroborate the foregoing assertions and vociferously contend that,

> *This can hamper effective oversight, as members of the Legislature may be reluctant to call to account a government that is made up of their party. Members of the majority party in particular may be unwilling to subject the government to rigorous scrutiny for fear of being perceived as disloyal and as a consequent loss of their parliamentary positions.*

Nonetheless, Barrows et-al, (2003) explain that lack of parliamentary oversight authority is one of the problems facing contemporary administrative systems and requires undertaking constitutional and rules reform, for example, changing the constitution as in the British Parliament or enacting laws to expand legislative authority such as the United States Budget and Impoundment Act to limit Presidential discretion. To support this further, Hamdok and Adejumobi (2012) examine checks and balances among the organs of government and the efficacy of legislature in carrying out oversight functions in Ghana, South Africa and Uganda. The study identifies the peculiar systemic problems of each of the countries, and exhaustively explains their implications on governance and coping strategies. In Ghana, “the constitution bars members of Parliament from introducing any legislation that will commit the government to spending public funds, thereby preventing the legislature from initiating bills, since every bill has spending implication”. In South Africa, the Constitution mandates a robust system of checks and balances between the executive, legislative, and judicial branches of government but party loyalty interferes in legislative oversight over executive activities, so long the:

> *Parliamentary committees tasked with overseeing ministries are often led by African National Congress (ANC) Member of Parliaments (MPs) who are often accused of approving ministerial reports and budgets without sufficient debate and public information. This situation undermines the efficacy of South Africa’s institutional checks and accountability mechanisms, (Hamdok and Adejumobi, 2012).*

Across the political systems cited, it is marked by one form of problem or the other, each set of problem substantiating the influence of institutional and structural arrangements in a system on the effectiveness of legislatures in monitoring policy implementation by the executive branch. Nigeria is no exception; therefore, legislature does not operate outside the influence of its immediate environment, and the roots lie in the nature of political organization, the impact of party ideology and the structure of constitutional/legal framework.The next section further examined these issues.

THE PREMISES OF LEGISLATIVE INACTIVITY IN NIGERIA POLITICAL SYSTEM

Having discussed somedecisive factors that affect legislative oversight and policy implementation, closer attention now focuses on the various measures introduced to enthrone fidelity in both policy implementation and legislative oversight. Nonetheless, many challenges confront legislative oversight over policy implementation. Some of the challenges are organically related, and others interwoven; but each characterizes the nature of political system that refreshes the acquisitive propensity of public officials in Nigeria. In other words, the political cum economic environment in Nigeria conditions the orientation and attitude of political officeholders towards using public office for personal enrichments. The different House Committees that conducts oversight over executive activities on budget implementation is not an exception in this particular dirge but general syndrome in the system.

However, forensic analysis of the thematic issues in this study reveals that there are clear incidences of relegation of legislative oversight as an instrument for ensuring full policy implementation and accountability. Most importantly, the nature of politics in Nigeria either advertently or inadvertently culminates in scenarios where the Nigerian legislature is one of the least developed institutions amongst the arms of government. It makes "the legislature contend with a hyper-active executive arm of government that is quite unwilling to unbundle its considerable power, and which sees other arms of government more or less as extensions of the executive", (Okanya, 2009). Such skewed perception diminishes the notion of parity among organs of government. Yet, Fashagba, (2009) contends that in addition to constraints like executive interference, crippling internal conflict, inexperience and high rate of member's turnover hampering legislative efficiency, the legislature has compromised its role.

This conflicting development has made oversight by the legislature turn to mere conduit-pipe for drilling public treasury, which satisfies the pecuniary interests of the legislators at the expense of public interest. Improving their material wellbeing disconnect them from being critical about how the ministries, departments and agencies implement their budgets. It makes contractors not hesitate to concede some percentage of contract sums as conditional service charge to compromise the oversight committees. As a result, inefficient service delivery characterizes budget implementation. The characterization extends to how executive awards many contract for projects to political officeholders, party stalwarts and members of the legislature as reward package or empowerment scheme to boost the morale of the loyal government officials, election financiers and godfathers. In such circumstance, the legislators avoid close monitoring of budget implementation so as not to step on toes. In doing so, the contractors collaborating with government officials circumvent the necessary procurement processes and the legislators, who are supposed to nip the rot in the bud through effective and proactive oversight, relegate the duty. It subjugated the constitutional role of legislature aimed at achieving efficient service delivery by ensuring accountability of the executive in policy implementation. Thus, ineptitude, nepotism, greed and corruption characterized budget process and compromised oversight, thus, attesting to an obvious fact that besides systemic issues in each nation,

> *In almost every parliament around the world, there is a gap between the powers that a parliament has to hold the executive to account and the willingness or ability of politicians to use them. Thus, parliaments do not operate in a vacuum. Their functioning and effectiveness is shaped very much by the context and particularly the political context of which they are part, (Nakamura and John, 2003).*

Essentially, the legislators of Enugu State House of Assembly lack the political will and courage to tackle the executive on the negation or infraction of many laws set out to enforce the budget and procurement process in the state. Commissioners and their Permanent Secretaries appear like small gods despite the looming portrait of the governor who conducts government businesses with impunity once the legislature approves the budget. In the same manner, legislators oftentimes outsmart the governor in the ways they connive with contractors to squander the available meager public funds by delivering poor quality projects even when the executive means well for the people. Traditionally, scholars view legislative oversight as a rational tool for achieving democratic accountability. Legislators conduct oversight to ensure consistency between implementation and official policy directives, (Wohlstetter, 1989). This tradition seems to be a global practice and the foundation of oversight. In a parliamentary democracy, the legislature or Parliament is the most appropriate site for policy making as well as the site for evaluation and monitoring for its implementation, (Afifa, 2015).

CONCLUSION AND RECOMMENDATION

The 1999 Constitution (as amended) envisaged that the only way to ensure integrity and prudency in state administration and policy implementation is by subjecting every financial matter under the control of executive branch to legislative scrutiny. Oversight is rather an integral part of legislative-administrative politics, (Wohlstetter, 1989). However, the dwindling roles of the State Houses of Assembly to enforce accountability in public offices through effective oversight of budget implementation, is part of the reasons the 'State - Legislators' relationships with administrators have received scant attention in the literature despite the importance of these relationships for delivery of public services", (Marjorie et-al, 2010*)*.

Although Enugu State House of Assembly has constitutional mandates to oversight the activities of executive in the area of policy implementation, what appears commonplace in the ministries, departments and agencies are evidences that effective oversights have not taken place. Ineffective oversight creates loopholes for abuse of budget laws, mismanagement of projects earmarked for implementation and poor service delivery that deny the dividend of democracy to the public. It buttresses the assertion that the issue of control of the executive arm of government through legislative oversight is fundamental for tackling misconduct in policy implementation, (Hamdok and Adejumobi, 2012). In other words, it further attests to the fact that although the legislature cooperates with the executive, it should also oversee its actions to ensure proper use of state's power and resources. This is the whole essence of legislative oversight in every democratic administration around the world. Nevertheless, what has become evident in the study is that the executive arm of government has subsisting clamour against any supervision over the exercise of its powers and it is responsible for problems associated with the weakening of legislative oversight and poor implementation of budget and other government policies.

Furthermore, the blame on inexperience of the legislators find expressions through their inability to arrest the intricacies of budgetary policy matters especially budgets, which results in the mismanagement of legislative oversight over the activities of the executive. This is in addition to the material undertone of legislative oversight; the quest to extort money from government Ministries, Departments and Agencies that creates misunderstanding about the genuineness of most legislative oversight. The rationale is that this problem has remained since 1999 to date and undermines government efforts at providing strategic infrastructures for economic development and service delivery for the wellbeing of the citizenry. More so, it compromises the emphasis on deepening the democratic practice in Nigeria and achieving good governance through government's accountability in policy implementation.

Policy implementation has been a major issue of concern in Nigeria. The issue of poor implementation has constrained achievement of most spelt-out development goals and objectives. These manifested in many-abandoned development projects. Poor implementation has also made execution a weak link in the budget process, (Abdullahi, 2011). The reason could be that the executives both at the federal and state levels have often diverted public funds into their personal foreign and local banks accounts. Unless the legislature at the state level achieves the status of financial autonomy, they will never begin to set themselves free from the string of the executive branch at that level, (Mogaji, 2017).

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