



NATIONAL OPEN UNIVERSITY OF NIGERIA

SCHOOL OF MANAGEMENT SCIENCES

COURSE CODE: PSM 804

COURSE TITLE: OPERATIONS OF THE LEGISLATURE

COURSE GUIDE

OPERATIONS OF THE LEGISLATURE

CODE: PSM 804

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1.0 INTRODUCTION

PSM 804: Operations of the Legislature is a one semester course of two credit units. It is available to all the M.Sc degree students offering Public Sector Management programme. The course consists of 14 study units covering such issues as the constituent of the legislature, evolution of the parliamentary system, functions of the legislature, powers of the legislature, operational machinery, the legislative process, the role of the bureaucracy in the legislative process, legislative side in appropriation bills, the constitutional provisions of the legislature, the legislature as representative of the people, Committee system in the legislature, importance of the legislature, the legislature in Nigeria etc.

The Course Guide tells you in a nut shell what the course is all about, how you can benefit optimally from the course material and also the relevant textbooks to consult. Guidelines on how to do your tutor marked assignments.

2.0 What You Will Learn in this Course

This course on the **Operations of the Legislature** has been designed to acquaint you with the general operations of the Legislature in Nigeria and some other main democratic states in the world. It will help you to appreciate the specific functions of the second arm of the government and how that function contributes to the operations of democratic governance. It will give you an understanding of the relationship amongst the three tiers of government in Nigeria as well as the peculiarity of each sector. You will also be able to understand the mutual relationship in a dynamic Nigerian environment.

3.0 AIM OF THE STUDY

The aim of the study is to enable you understand and easily follow the proceeding of the legislative arm of government in a democratic state as well as appreciate their contributions to accountable and representative governance.

4.0 MAIN CONTENT

The main content of the course spans over thirteen major areas covering Conceptual Issues, the Constituent of the legislature, Evolution of the parliamentary system, Functions and importance of the legislature, Powers of the legislature, Operational machinery, and the Legislative process. Other areas include the Role of bureaucracy in the legislative process, the Legislative side in Appropriation Bill, the Legislature as representative of the people, Committee system in the legislature, and the Legislature in Nigeria. These are discussed under unit 1 to 13 below which has been compressed under 4 modules.

5.0 Objective

The overall objective of the course is to give students a framework for describing and analyzing the operations of the legislature as well as to enable them have an in-depth understanding of the relationship amongst the three tiers of government in Nigeria, the peculiarity of each sector, their mutual relationship in a dynamic Nigerian environment. Also each course unit has its own objective stated at the beginning of each unit. You are expected to read through the specific objective of each unit before studying the unit so as to get a greater understanding of the unit.

6.0 Working through this Course

You are expected to patiently read through the whole units and consult the recommended texts and other related materials. Each unit contains self-assessment exercise and tutor-marked assignments. These are designed to assist you have a masterly of the course.

7.0 Course Materials

The major components of the course are:

1. Course Guide
2. Study units
3. Further readings
4. Tutor Marked Assignments
5. Reference and Suggested Text Books

8.0 Study Units

There are four (4) Modules with thirteen (13) study units in this course. These are:

MODULE I

- | | |
|--------|------------------------------------|
| Unit 1 | CONCEPTUAL ISSUES |
| Unit 2 | THE CONSTITUENT OF THE LEGISLATURE |

Unit 3 EVOLUTION OF THE PARLIAMENTARY SYSTEM

MODULE 2

Unit 1 FUNCTIONS AND IMPORTANCE OF THE LEGISLATURE

Unit 2 POWERS OF THE LEGISLATURE

Unit 3 OPERATIONAL MACHINERY OF THE AMERICAN LEGISLATURE

MODULE 3

Unit 1 THE LEGISLATIVE PROCESS

Unit 2 ROLE OF BUREAUCRACY IN THE LEGISLATIVE PROCESS

Unit 3 LEGISLATIVE SIDE IN APPROPRIATION BILLS

MODULE 4

Unit 1 THE CONSTITUTIONAL PROVISION OF THE LEGISLATURE

Unit 2 THE LEGISLATURE AS REPRESENTATIVE OF THE PEOPLE

Unit 3 COMMITTEE SYSTEM IN THE LEGISLATURE

Unit 4 THE LEGISLATURE IN NIGERIA

9.0 Textbooks and References

There are some recommended books for further reading at the end of each unit. You are however, encouraged to read other related books on the subject matter.

10.0 Assessment

Your assessment in this course will be based on Tutor Marked Assignments (TMAs) and written examination. The TMA carries 30% while the written examination carries the remaining 70%. The exercise at the end of each unit should be done as this will facilitate your understanding and mastery of the unit in particular and the course in general.

11.0 Final examination and Grading

At the end of this semester, you are expected to sit for an examination which will reflect what you have learnt in this course. As said earlier, the examination will carry a total of 70% while the TMAs will carry the remaining 30%. You are advised to study very hard for this examination.

12.0 How to get the most from this Course

The Open and Distance Learning (ODL) system is not the same with the conventional system of learning.

In the Open and Distance Learning model, the Study Material is designed and written in such a way that it replaces the lecturer. The student can read the text and work through the course material at his/her own pace and at a time and place that is convenient to him/her.

13.0 Summary

An operation of the Legislature is an interesting Course which has been designed to enable students understands legislative functions within a larger political system. It is linked with other institutions in various ways. It is within the legislature itself that the process of reconciling the demands of competing groups and choosing among alternatives may be influenced as much by outsiders as by legislators.

14.0 Conclusion

The Operations of the Legislature (PSM 804), is an interest course. You are welcome to this legislative arm of the government. We wish to reiterate that the knowledge of this course will equip you adequately to serve in a professional capacity in any governmental institution. We wish you a happy and successful reading.

OPERATIONS OF THE LEGISLATURE

CODE: PSM 804

MAIN COURSE DEVELOPMENT

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MODULE ONE

Unit 1	Conceptual Issues
Unit 2	Constituent of the Legislature
Unit 3	Evolution of the Parliamentary System

Unit 1: CONCEPTUAL ISSUES

1.0	Introduction
2.0	Objectives
3.0	Main Contents
3.1	Meaning of the Legislature
3.2	The British Legislature
3.3	The United States Legislature
3.4	The Nigerian Legislature
4.0	Conclusion
5.0	Summary
6.0	Tutor Marked Assignment
7.0	References/Further Readings

1.0 Introduction

In this unit, you will be introduced to what legislative arm of the government is all about. In your day to day activities you may have encountered many terminologies without actually understanding its meaning. The aim of this unit therefore, is to identify and explain the various

and relevant concepts that will inform discussions in the entire book. This is aimed at enhancing a clearer understanding of the various issues raised in this course material.

2.0 Objectives

At the end of this unit, you should be able to explain the meaning of the following and what they do:

- legislature,
- congress,
- senate,
- House-of-Lords etc.

3.0 Main Contents

3.1 Meaning of Legislature

This refers to the second arm of government, whose membership is usually chosen through elections. It is that part of the government put in place to perform legislative functions. The legislatures are given different nomenclatures in different countries. In Nigeria, for instance, they are known as the National Assembly, in Britain, they are called the Parliament, while in the United States of America they are referred to as the Congress. The composition of the legislature varies from country to country. Some have unicameral system which means a single house of legislature. While

some have a bicameral or two house legislatures. They have fixed tenure and are charged with the responsibility of making laws as well as changing, and repealing existing ones.

The Legislature in Nigeria and USA, comprise of the Senate and the House of Representatives but in Britain, one house is called the House of Commons while the other is called the House of Lords.

The House of Representatives is called the Lower House while the Senate is called the Upper House.

The United States of America, Britain and Nigeria all have what is termed Bicameral legislatures. The case of United States of America and Nigeria is similar in that they both have the Senate and the House of Representatives while Britain differ with one house named the House of Commons and the other the House of Lords.

Nigeria has 36 states and each of these states has its own legislature which is called House of Assembly. Here the legislature is unicameral as opposed to what obtains in the Federal legislature which is bicameral in nature. The state legislatures are elected by the people of the state themselves.

3.2 The British Legislature

The **British legislature** technically consists of the Crown, the House of Lords, and the House of Commons referred to as the Parliament. The **House of Commons** is the main legislative chamber

- Has an elected membership of 646
- The maximum life of a Parliament is five years.

The House of Lords known as peers is made up of

- The lords spiritual (senior bishops of the Church of England)
- Lords temporal (lay peers that include law lords (senior judges) who may be either life peers or hereditary peers.
- Members are not directly elected
- They may retain their seats for life, with the exception of lords spiritual, who must resign from the House of Lords when they retire from their church positions.
- Life peers are appointed by the monarch.

The House of Lords is the upper law-making chamber of the British legislature.

3.3 The United States' Legislature

The legislature in the United States of America is referred to as the Congress and composed of two chambers with equal powers:

The **Senate** Comprise of 100 members

- Two senators represent each of the 50 states.
- Elected for six-year terms.
- Must be at least 30 years old
- A citizen for nine years and a resident of the state from which he or she is elected.

The **House of Representatives** is made up of 435 members divided among the states in proportion to each state's population.

- **Every state is represented by at least one seat.**
- **Representatives are elected for two-year terms**
- **Must be 25 years old**
- **a citizen for at least seven years and a resident of the state from which they are elected.**

The Upper House of the United State bicameral legislature is called the Senate. The lower house is called the House of Representative and together with the Upper House they form what is called the Congress. Their powers are established in Article One of the U.S Constitution. Each U.S State is represented by two senators, their population notwithstanding.

The Senate has more powers than the House of Representatives. Some of their powers include, appointment of Cabinet Secretaries, Federal Judges, other Federal Executive officials, Military officers, regulatory officials, ambassadors, and other federal uniformed officers, as well as trial of federal officials impeached by the House.

3.4 The Nigeria's Legislature

Nigeria's legislative energies are spread across the Federal, State, and Local Government levels of governance in the country. They are termed the 'law-makers'.

Laws made at the Federal level go by the tag, Acts; States laws are called laws while legislations made by local governments are termed by-laws. Officers in the judicial and executive governments are sometimes statutorily empowered to make laws generally termed Regulations.

Law-makers' may be identified almost in every arm, level and facet of governance in Nigeria, it is members of the formally established legislative platforms, especially at the federal and state levels of government that are officially recognized as legislators.

Presently, Nigeria operates a bi-cameral legislature format at the federal level consisting of the Senate and the House of Representatives while the unicameral legislature (House of Assembly) operates at the State level.

4.0 Conclusion

Legislature is that arm of government that performs legislative duties. It consists of the elected representatives of the people. Their primary function is to make laws for peace, order and good governance of the federation or any part thereof. Their functions are usually spelt out in the constitution of the country. We shall examine the constituent of the legislature in the next unit.

5.0 Summary

In this unit we examined the meaning of the legislature, the congress, the house-of-lords. We examined the unicameral and bi-camera type of legislation. We also talked about the British legislature, the United States legislature and the Nigerian legislature. It is hoped that this introductory aspect of legislature will aid your understanding as we go further in the course.

6.0 Tutor Marked Assignment

1. Explain the meaning of the following:
 - a. **Congress,**
 - b. **House of Commons, House of Lords**
 - c. **Parliament,**
 - d. **Bi-cameral,**
 - e. **Unicameral.**
 - f. **Senate**

7.0 References/Further Readings

Ademolaken, L. (1988). Politics and Administration in Nigeria. Ikeja: Perfect Printers Limited.

Arowolaju B. & Omolayo S. (1987). Elements of Government: An Introductory College Text on Political Science. Lagos: Friends Foundations Publishers Limited.

Maduabum, C.P. (2008). The Mechanics of Public Administration in Nigeria. Lagos: Concept Publications Limited.

UNIT 2:THE CONSTITUENT OF THE LEGISLATURE

1.0	Introduction
2.0	Objectives
3.0	Main content
3.1	Constituent of the legislature
4.0	Conclusion
5.0	Summary
6.0	Tutor Marked Assignment
7.0	References/Further Reading

1.0 Introduction

In the previous unit you learnt about the conceptual clarification of the legislature. In this unit you will learn about the constituents of the legislature.

The legislature is not an island on its own. It is linked with other institutions and its activities often reflect the inter-relationships of these other institutions. As we go further, you will notice that the legislature functions within a larger political system. You will also observe that it is a conduit between the executive and the electorate.

2.0 Objectives

At the end of this unit you will be able to know the real constituency of the legislature and what happens within this legislative constituency.

3.0 Main Content

3.1 The Constituent of the Legislature

The legislature is that arm of government which is mostly concerned with law-making. They are instrumental in the establishment and maintenance of the legal order. They receive and settle conflicts, set priorities and make legitimate policies. They equally adopt existing rules for the society. They are quite vibrant in the affairs of their country.

Legislatures in modern states are quite different in status, powers and the functions they perform in their various constituencies. These variations depend on a number of factors such as:

- i. Politico-cultural circumstances in which the constitution has developed;
- ii. The constitutional structure (whether unitary or federal, rigid or flexible);
- iii. The party system; and
- iv. The system of representation.

The legislature is a vital arm of government which has been put in place to move the society forward. The executive, political parties, the laws of the land, the morals and customs, as well as the general public are all complementing or competing with the legislature. The legislature may work in harmony with the executive officials or choose to work against them for whatever reason.

The legislature is not an island. It functions within a larger political system. It interacts with executive officials who help shape its agenda. Interest groups make claim upon it and the judiciary can examine or pronounce its constitutionality.

Often times the legislature finds itself in critical environment where it is sandwiched between the executive and the electorates. It feels the yearnings of the people, shapes them into political

agenda, transforms them into policies and thereafter passes them to the executive for implementation. It has to be noted though that the executive does not always have to wait for the legislative mandate as not all the issues require legislative license. If this is the case the executive may proceed to act irrespective of the conception of the legislature. The executive may also veto the statute where concepts and perceptions differ. In some instances, the legislature may counter this by mustering the stipulated majority to thwart the action of the executive and proceed to enact the statute.

The legislature and the executive may disagree or co-operate as the case may be but whether they co-operate or disagree with each other depends on the circumstances. They are free to disagree or dispute as neither has absolute control over the other. But in extreme cases, the legislature may use the instrumentality of the law to make the executive comply with administrative acts.

4.0 Conclusion

In this unit, we examined the constituents of the legislature. The part it plays between the executives and the electorate was brought to the fore. We noted their roles in shaping the political agenda and formulation of policies before sending it to the executives for implementation and administration. We noted that the legislatures are the highest law making institution in a democratic setting. But that notwithstanding, they have to apply decorum and dignity in carrying out their affairs so as to move the country forward and avoid unnecessary bottlenecks.

5.0 Summary

The constituents of the legislature examined the domain of the legislature and the vital roles they play within this domain consensus. It should be noted that within this constituency, there is the possibility that reconciling the demands of the competing groups and choosing among alternatives may be influenced as much by the interest groups as by the legislators themselves.

6.0 Tutor Marked Assignment

1. The Legislature acts as a conduit between the executive and the electorate. Explain.

7.0 References/Further Readings

Acton, L. (1999). Essentials of Government for Schools. Ikeja: Tonad Publishers Limited.

Arowolaju B. & Omolayo S. (1987). Elements of Government: An Introductory College Text on Political Science. Lagos: Friends Foundations Publishers Limited.

Burns, J.M. et al. (1984). Government by People. Eaglewood Cliffs. New Jersey: Prentice-Hall Inc.

Unit 3

EVOLUTION OF THE PARLIAMENTARY SYSTEM

1.0 Introduction

2.0 Objective

3.0 Main Content

3.1 Elements that influenced the development of Parliament

3.2 The Development of British Parliament

3.3 The Development of the American Congress

4.0 Conclusion

5.0 Summary

6.0 Tutor Marked Assignment

7.0 References/Further Readings

1.0 Introduction

Parliament refers to a democratic government's legislature. The word is derived from the French *parlement*. *Parler* in French means 'to speak' while *parlement* is a 'discussion'. Parliament in the modern usage means the body of people who would meet to discuss the affairs of the state.

The parliament of England was the legislature of the Kingdom of England. It was reputed that William of Normandy brought feudal system to England in 1066 which he used to seek the advice of the

council of tenant-in-chief and ecclesiastics before making laws. In 1215, the tenants secured 'Magna Carta' (this connotes the official documents which bore the political and legal rights of the English people and which formed the basis for the modern English law) from King John which established that the king might not levy or collect taxes (except the feudal taxes which they were accustomed to) unless he got the consent of his loyal council. This gradually developed into what is known today as parliament.

As we go through this unit, we will come across how the parliamentary system evolved as well as the elements that influenced the development of the parliament. We will examine the British parliament as well as the American Congress.

2.0 Objective

At the end of this unit, you will be able to discuss the evolution of the parliamentary system of government, the elements that influenced its development. You are also expected to be able to compare and contrast the British parliamentary system and the American Congress.

3.1 Evolution of the Parliamentary System

The word "parliament" comes from the French "parler", which means "to talk" or "to discuss". The term "parliament" first occurred in 1236 in England. It connotes the king's closest advisors who are called the "council". English parliamentary procedure developed not to facilitate talk, but to facilitate decision-making. Although the British model of parliament, known as the Westminster Model, is held up as the "Mother of all Parliaments", it is unique in that it developed over time from tradition, as opposed to being democratically enacted by way of a constitution.

The Legislatures are called parliaments and they operate under a parliamentary system of government. In this set up, the executive is constitutionally answerable to the parliament.

The institutional structure of parliament is such that both the legislative and the executive arms of government are closely integrated, independent and responsible to the electorate.

A country may have both titular and effective heads but it is the effective head of government that is answerable and responsible to the electorate during his term of office.

In Britain, the parliamentary government is dual in structure, the dignified and the effective parts. The Queen and other royal institutions represent the titular or the dignified parts while the Prime Minister and his cabinet as well as the parliament (the Prime Minister is the leader of the majority party in the lower house of parliament) constitute the effective part of the government.

The Prime Minister holds his or her office as long as the "confidence of the house" is maintained. If members of the lower house lose faith in the leader for whatever reason, they can call a vote of no confidence and force the PM to resign.

This can be particularly dangerous to a government when the distribution of seats is relatively even, in which case a new election is often called shortly thereafter. However, in case of general discontent with the head of government, his replacement can be made very smoothly without all the complications that it represents in the case of a presidential system.

The courts and the judiciary are free from political control but not totally from parliament.

Parliaments usually consist of chambers or *houses*, and are usually either bicameral or unicameral although more complex models exist.

3.2 The Elements that Influenced the Development of Parliament

- The need for taxes to have the consent of the taxed (the Magna Carta, 1215).
- The custom of summoning to the royal council not just barons but elected representatives of towns and counties.
- The convenience of dealing with petitions at enlarged meetings of the king's council.
- It was a device resorted to reflect the idea that the king should consult with his subjects.

3.3 The development of British Parliament

Parliament was not an institution at first, but an event.

In 1215, the tenants-in-chief secured Magna Carta from King John, which established that the king might not levy or collect any taxes (except the

feudal taxes to which they were hitherto accustomed), save with the consent of his royal council, which gradually developed into a parliament.

During the quarrel between King Henry III and his barons, the Oxford Parliament (1258) forced Henry to accept rule by a baronial committee.

The barons' leader, Simon de Montfort, summoned representatives of towns to Parliament for the first time in 1265.

The so-called Model Parliament of Edward I (1295) contained all the elements of a mature Parliament: bishops and abbots, peers, two knights from each shire, and two representatives from each town.

In 1341 the Commons met separately from the nobility and clergy for the first time, creating an Upper Chamber and a Lower Chamber, with the knights and burgesses sitting in the latter.

This Upper Chamber became known as the House of Lords from 1544 onward, and the Lower Chamber became known as the House of Commons, collectively known as the Houses of Parliament.

The Act of Union 1707 merged the English Parliament with the Parliament of Scotland to form the Parliament of Great Britain.

When the Parliament of Ireland was abolished in 1801, its former members were merged into what is now called the Parliament of the United Kingdom.

3.4 The development of the American congress

During the 17th century and most of the 18th century, representative assemblies in Great Britain's American colonies wielded broad powers of taxing, spending, and public policy.

Assemblies operating under written charters governed local governments, companies, and even churches.

The Congress that emerged from these colonial legislatures was the sole organ of government under the nation's first charter, the Articles of Confederation, which governed the country from 1781 to 1788.

In the early 20th century a constitutional amendment pressed by the House of Representatives and many state legislatures resulted in the 17th Amendment ratified in 1913 which specified that senators be elected directly through a popular vote, modifying the Founding Fathers' elitist design of the Senate which gave senators who were then chosen by the legislature six-year terms.

4.0 Conclusion

The parliamentary system of government acts as checks and balances, the essence of which is to curb the excesses of any of the functionaries of government. There is the integration and the fusion of the executive and the legislature in the parliamentary system. There is also an issue of a 'vote of no confidence' which can lead to the resignation of the head of government or dissolution of parliament.

5.0 Summary

In this unit we discussed the parliamentary system of government and the elements that influenced the development of parliamentary system. We also examined the British parliament and the American Congress. In the next unit, we will treat the functions and importance of the Legislature.

7.0 Tutor Marked Assignment

1. Discuss the British parliament
2. What are the factors that influenced the development of the British parliament?

8.0 References/Further Reading

Almond G. and Powell G.B. Jr. (1966). Comparative Politics: A developmental Approach. Bostons: Little Brown and Company.

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Collins, Jacquelin. "British Parliament." Microsoft® Encarta® 2009 [DVD]. Redmond, WA: Microsoft Corporation, 2008

MODULE 2

- Unit 1 FUNCTIONS AND IMPORTANCE OF THE LEGISLATURE**
- Unit 2 POWERS OF THE LEGISLATURE**
- Unit 3 OPERATIONAL MACHINERY**

Unit 1 FUNCTIONS AND IMPORTANCE OF THE LEGISLATURE

- 1.0 Introduction**
- 2.0 Objective**
- 3.0 Main Content**
 - 3.1 Legislative functions**
 - 3.2 Oversight functions**
 - 3.3 Elective functions**

- 3.4 Investigative functions**
 - 3.5 Judicial functions**
 - 3.6 Other functions**
- 4.0 Conclusion**
- 5.0 Summary**
- 6.0 Tutor Marked Assignment**
- 7.0 Reference/Further Reading**

1.0 Introduction

The primary function of a legislature is enactment of laws which is a fundamental means of legitimizing rules in a political setting. The legislatures in accordance with laid down rules and procedures debates and passes bills into laws. The bills may emanate from the government, public or from the members themselves.

The legislatures may hold bicameral sessions. In this case, bills may originate from either of the two houses except money bills which should originate from the lower house (House of Representative or House of Commons as they are called in Nigeria and Britain respectively).

Government bills are passed easily in the Cabinet system because members of the Cabinet are also members of the legislature and majority of the

members belong to the ruling party. They rarely vote against the government except in extreme cases which may warrant a 'vote of no confidence'. In this instance, the Prime Minister may advise the Queen to dissolve the Parliament or the government resigns.

In Presidential system is quite different from the parliamentary system. Here the members of the legislature are expected to vote according to their conscience without any fear of party discipline. Members of the ruling party may vote against government bills and members of the opposition party may equally vote for the government bills.

The executive usually depends on the importance of the bill, his lobbying capacity, the popularity of the head of government, promise made, etc to get its bills passed.

2.0 **Objective**

At the end of this unit, you are expected to have mastered the following:

- The legislative functions of the legislature
- Their oversight functions
- Their elective functions
- Their investigative functions

- Their judicial functions and other functions which they perform.

3.1 Legislative functions

- They represent citizens, constituencies and groups.
- Writes, debates, and pass bills (proposed laws), which are then passed on to the president for approval.
- Proposes new constitutional amendments through a two-thirds vote of both chambers, which then must be ratified by three-fourths of the states.
- No statute may become law or be altered or repealed, nor may taxes be levied, without the consent of the legislature.
- Educates the public through debates on national issues and policies.
- Provides training grounds for future leaders.

3.2 Oversight functions

- Supervises the executive and judicial branches of government.
- Controls the activities of other branches of government through the legislative investigation committee.

3.2 Elective functions

- Selects public office holders or ratifies their appointment.
- In the United Kingdom and other Westminster-style systems, legislatures elect the country's chief executive (Prime Minister) from the ranks of the majority party in the parliament.

3.3 Investigative functions

- Activities of the executives are constantly scrutinized by the legislatures and any President or Governor could be removed by the legislature, if found guilty of any act of gross misconduct or any act which ultra vires the constitution.
- Controls public funds and expenditure
- Investigates pressing national issues

3.5 Judicial Functions

- The House of Lords is the highest court of appeal in Britain's judicial system.
- The legislature approves or rejects the nomination of judges.

- They enact laws guiding the operation of the courts.
- It approves budgets, including the salaries of the judges.
- They contest elect results
- They bring impeachment actions against public officials and tries all cases of impeachment
- They can expel their own members

3.6 Other functions

- Congress takes equal responsibility with the president in framing and shaping U.S. foreign policy.
- Help set the national political agenda.
- The United States Senate acts as an advisory panel to the president in revising legislation drafted in the House.
- Congress also meets in joint session to count the electoral votes for presidential elections.
- Senate committees and subcommittees hold hearings, conduct research, and supervise the executive branch.
- the daily tasks of members of Congress include:
 - meeting with constituents to discuss issues and assisting with problems

- attending committee meetings
- meeting with government officials and lobbyists
- studying and discussing legislation
- managing the congressional office and staff
- working with party leaders to build support for bills
- overseeing how agencies are carrying out laws
- appearing publicly outside the state or district to address issues.

4.0 **Conclusion**

The legislature is a very strong arm of government. It brings out the beauty of democracy. It is indeed the binding force of the three arms of government in a democratic setting. It can be regarded as the pivot around which the democratic system of government revolves. Legislature is people-oriented and check-mates the activities of the executive and other arms of government. It concerns itself with the laws which is the instrument of governance and ensures that these laws are people friendly and developmental in nature.

5.0 **Summary**

In this unit, we examined the functions and importance of the legislature. We noted the very important duties and functions performed by the legislatures.

Their powers over other executive officials in order to check their excesses were brought to fore. Their functions bring out the very beauty of democratic government without which it ceases to be democracy. In the next unit, we will study the powers of the legislature.

6.0 Tutor Marked Assignment

- 1. Briefly describe the functions of the legislature over the executive and to the electorate.**
- 2. The judicial function of the legislature should best be handled by the judiciary. Discuss.**

7.0 References/Further Reading

Philips, O.H. and Jackson, P. (1978). Constitutional and Administrative Law 6th Edition. London: Sweet and Maxwell.

The Federal Republic of Nigeria. (1999). Constitution of the Federal Republic of Nigeria. Abuja: Government Press.

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Unit 2: POWERS OF THE LEGISLATURE

1.0 Introduction

2.0 Objective

3.0 Main Content

3.1 Powers of Legislature over the Prime Minister and the Cabinet

3.2 Power to approve Treaties

3.3 Legislative Powers

3.4 Control of Government Spending

3.5 Investigation and Oversight functions

3.6 Other Powers

3.7 Limitations of the Powers of the legislature

4.0 Conclusion

5.0 Summary

6.0 Tutor Marked Assignment

7.0 Reference/Further Reading

1.0 Introduction

A legislature is a deliberative assembly vested with the power to pass, repeal and amend laws. The laws so created by them are known as

statutory laws or legislation. Legislatures are known by different names in different countries viz: parliament, Congress, Senate etc.

It is advocated that for the maintenance of political and civil liberty, Government should be divided into three distinct branches namely: the executive, the legislative and the judiciary. Each of these branches is expected to confine itself to the exercise of its own functions and not meddle with the functions of the other branches or arms. As we mentioned earlier, the law-making powers of the government are vested on the legislatures who are elected solely for that purpose by the people. In this unit, we are going to see how the legislature exercise the powers vested on them by the electorate. It should be noted, however, that each arm of the government viz: the legislature, the executive and the judiciary act as check on the other and that no single group of people controls the total machinery of the state.

2.0 Objective

At the end of this unit, you will be able to understand and discuss in detail the powers of the legislature in the parliamentary and the presidential

system of government. You will also be able to discuss the limitations of the powers of the legislature.

3.0 Main Content

3.1 Powers of the Legislature over the Prime Minister and the Cabinet

In the Westminster system, the prime minister holds power at the will of the parliamentary majority party or coalition. Parliament can decide to issue a vote of no confidence, which removes the prime minister and cabinet from office. The American congress can impeach the president and other federal officials for treason, bribery, and other serious offences.

3.2 Power to approve treaties

The Senate exercises the powers to approve treaties between the United States and other countries.

3.3 Legislative powers

The Legislature has all legislative powers in the national and state governments.

It has the power to adopt the budget and other money bills.

3.4 Control of government spending

The legislature controls taxing and spending policies of the government.

In Britain, all tax laws and all laws authorizing government spending begin in the Lower House—the chamber that most closely represents the people.

3.4 Investigation and oversight functions

The legislature has authority to investigate and oversee the executive branch and its agencies. It has the power to summon senior officials to answer questions from members. It also has the power to order audits of agencies of government. It equally has power to hold hearings on matters of general public concern and to air grievances of citizens.

3.6 Other powers

Article I, Section 8, of the United States Constitution lists a wide range of congressional powers, including printing money, maintaining a military, and regulating interstate and foreign commerce.

The Senate must confirm the President's appointment of ambassadors, federal judges, diplomats, cabinet members, and many other government officials.

Congress has the authority to declare war and provide funding for soldiers and weapons, but the president serves as the commander-in-chief of the armed forces.

3.7 Limitations of the powers of the Legislature

The Constitution and the Bill of Rights bar Congress from passing some types of laws such as creating a national religion or interfering in lawful religious practices.

Infringement on certain basic freedoms such as freedom of the press, speech, association, and petition

The Congress cannot impose “cruel and unusual” penalties on law-breakers.

The judicial branch sometimes interprets laws in ways not intended by Congress.

The courts also shape laws by deciding whether they conform to the Constitution.

The president has power to veto legislation, which Congress can override only by a two-thirds vote of both chambers.

The House of Lords can delay financial bills for only 30 days and all other bills for no more than one year.

4.0 Conclusion

We have seen how the law-making powers of the government are vested on the legislatures who are elected solely for that purpose by the people. We also examined how the legislature exercise these powers vested on them by the electorate. We also learnt that each arm of the government viz: the legislature, the executive and the judiciary act as check on the other and that no single arm of government controls the total machinery of the state. There lies the beauty of true democracy.

5.0 Summary

In this unit, we examined the powers of the legislature in the parliamentary and the presidential system of government. The powers the legislature has over the Prime Minister and the Cabinet in the

parliamentary system and the President or executive in the presidential system of government was discussed. We also examined all the various powers exercised by the legislatures in the political setting. Limitations of the powers of the legislatures were examined as well.

6.0 Tutor Marked Assignment

1. Explain in detail how the legislature curtails the excesses of the executive.
2. Enumerate and discuss the limitations of the powers of the legislatures.

7.0 References/Further Reading

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Module 3

- Unit 1 Operational Machinery of America Government**
- Unit 2 The Legislative Process**
- Unit 3 Role of Bureaucracy in the Legislative Process**
- Unit 4 Legislative Side in Appropriation Bills**

Unit 1: Operational Machinery of America Government

- 1.0 Introduction**
- 2.0 Objective**
- 3.0 Main Content**
 - 3.1 Structure of the Congress in the U.S**
 - 3.2 The Sergeant at Arms**
 - 3.3 The Clerk of the House**

- 4.0 Conclusion**
- 5.0 Summary**
- 6.0 Tutor Marked Assignment**
- 7.0 Reference/Further Reading**

1.0 Introduction

Congress is the legislative branch of the government of the United States of America. The legislature is the branch that makes the laws. Congress has two chambers, the House of Representatives and the Senate. The House has 435 representatives, one from each of 435 districts in the United States. The Senate has one hundred senators, two from each of America's fifty states.

Among the things the representatives and senators do daily is law making. Others include meeting with lobbyists, people working for businesses or interest groups that want Congress to pass certain laws. They also work on the national budget, America's plan for raising money through taxes and spending it on governmental programs. Members of Congress do casework, helping voters from their districts or states with governmental problems. They also spend time campaigning for re-election. Congress

equally operates miscellaneous offices, such as the Library of Congress, that perform services for the government. As you read further in this unit you will understand how the US Congress are structured as well as the functions of key officials in the Congress.

2.0 Objectives

At the end of this unit, you are expected to understand fully the structure and the internal operations of the US Congress.

3.1 Structure of the Congress in the U.S.

Under the Constitution, the vice president of the United States is officially the president of the Senate but in practice, the vice president comes to the chamber only for important ceremonies and to cast tie-breaking votes.

The Senate's majority party appoints its most senior member to assume the vice president's leadership duties, taking the title *president pro tem* (temporary president).

The Senate is organized into 16 permanent committees, which in turn have other subcommittees. The average U.S Senator sits on three to four

committees and about six subcommittees thereby working on a wide range of issues. The majority party is expected to nominate the Speaker, who is then confirmed by a vote of the entire House, which almost always follows party lines. The House's majority and minority parties each choose floor leaders and whips to organize party members. The Speaker of the House leads the House of Representatives, scheduling debates, assigning bills to House committees, and appointing members to special committees.

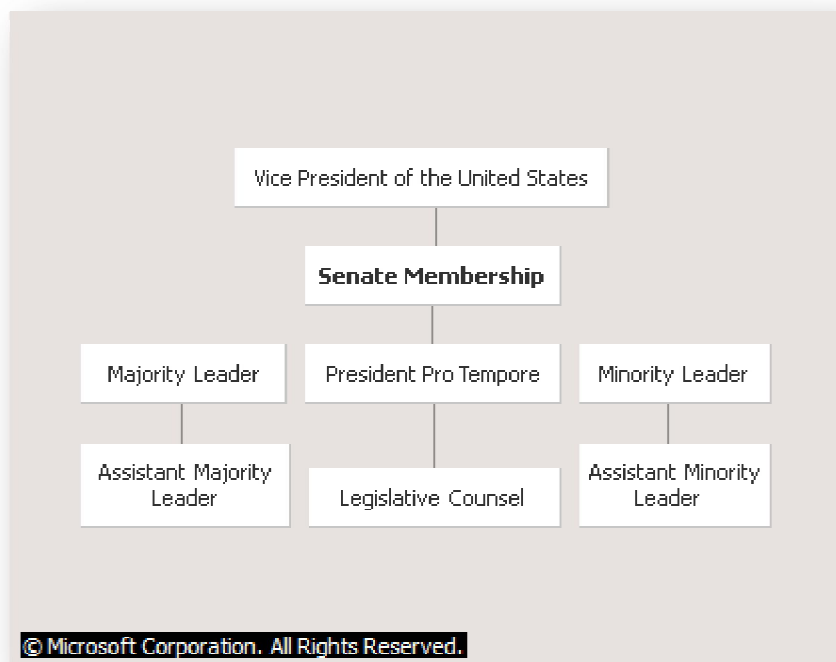


Fig. 1 Structure of US Congress

3.2 The Sergeant at Arms

The Sergeant at Arms, is not a representative, but is elected to the position by the House membership to ensure that the chamber works smoothly.

He is expected to maintain order in the House under the supervision of the Speaker, and is nominally responsible for summoning members onto the floor when a quorum is necessary. He arranges joint sessions of Congress, visits from foreign dignitaries, and other ceremonial events. He carries the mace that symbolizes the power of the office.

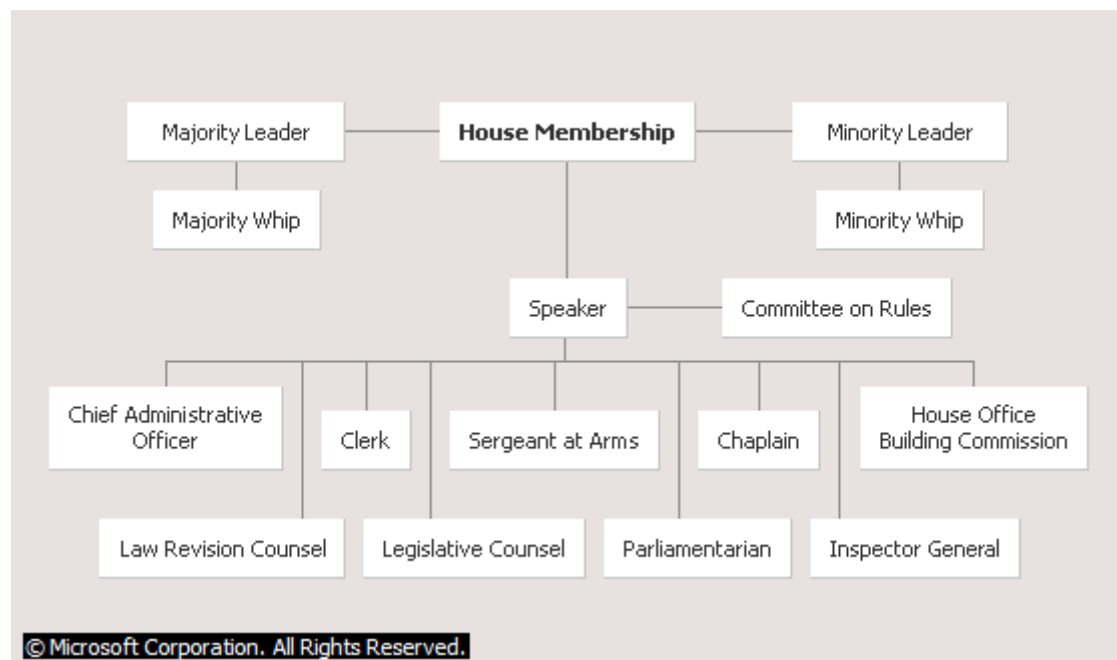


Fig. 2 Operational Machinery of the US Congress

3.3 The Clerk of the House

The Clerk of the House is elected by the House membership to manage the day-to-day legislative activity of the chamber. He records the results of floor votes and documents the approval of bills. He supervises research for House members and certifies that members have been elected according to the provisions of the Constitution. He oversees enforcement of laws regulating House ethics and elections.

4.0 Conclusion

In this unit, we learnt that the Congress is the legislative branch of the government of the United States of America. This branch makes the laws that the government uses to govern the people. It has two chambers, the House of Representatives and the Senate. The House has 435 representatives, one from each of 435 districts in the United States while the Senate has one hundred senators, two from each of America's fifty

states. In this way, the states and the districts are fully represented in the affairs of the country.

5.0 Summary

In this unit the structure of the Congress in the United States government was critically examined. The functions of some officials such as the Sergeant at Arms and the Clerk of the House were explained. You will study the Legislative Process in the next unit.

6.0 Tutor Marked Assignment

1. Examine the impact of the Congress on the American government.
2. Compare and contrast the American Congress with the British Parliament.

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MODULE 3

Unit 1	THE LEGISLATIVE PROCESS
Unit 2	ROLE OF BUREAUCRACY IN THE LEGISLATIVE PROCESS
Unit 3	LEGISLATIVE SIDE IN APPROPRIATION BILLS

Unit 1 **THE LEGISLATIVE PROCESS**

- 1.0 Introduction
- 2.0 Objective
- 3.0 Main Content
 - 3.1 Convening the Legislature
 - 3.2 Rules and Procedures
 - 3.3 Types of Bills
 - 3.4 Introducing Bills
 - 3.5 Scheduling Bills

- 3.6 Voting and Passing Bills
- 3.7 Moving Bills to the Second Chamber of the House
- 3.8 Conference Committee
- 3.9 Presidential Assent or Veto
- 3.10 Passing Resolutions
- 3.11 Sitting as Court of Appeal
- 3.12 Other influences on the Legislative Process
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor Marked Assignment
- 7.0 References/Further Readings

1.0 Introduction

Legislative process has two connotations. It may be termed the process which the legislature must go through before it can enact policy proposals into laws. This will cover the various stages from the policy formulation/proposal to its passage into law. On the other hand, it may be taken to mean the process or processes of the legislature i.e the ways of the legislature in its entirety. The first is restrictive in the sense that it limits the legislature to law making only but the second meaning is expansive as it embraces the entire powers of the legislature be it political, social, economic, cultural etc. This unit will examine the several features and processes of the legislature in modern states.

2.0 Objectives

By the end of this unit, you be able to:

- a. Identify the various legislative processes
- b. List the rules and procedures of the legislature
- c. List the duties of the conference committee
- d. Discuss President's veto power
- e. Discuss the term 'moving bills to the second chamber of the house'

3.0 Main Content

3.1 Convening the Legislature

Both the House and the Senate convene in their own respective chambers.

On rare occasions they gather for a joint session in the House chamber, usually to hear a speech by the president or by a dignitary from another

country. A new Congress of the U.S. begins in January every two years following congressional elections, in which voters choose all representatives and a third of the senators.

3.2 Rules and procedures

The Constitution allows the House to devise its own rules and procedures.

House rules allow leaders to determine which bills reach the House floor, how much time will be allotted to each, and even sometimes the number and type of amendments to be offered. The Senate follows rules governing procedures for amending and voting on bills, quorum requirements (the minimum number of senators needed to conduct business), and many other matters.

3.3 Types of bills

Proposals can be *public bills* (which apply to large classes of people) or *private bills* (which affect small numbers of people).

To become law, a bill must gain a majority of votes in the two chambers, pass through committee and floor debates of both Senate and House of Representatives, and then win the president's signature.

3.4 Introducing bill

In Britain, Bills may be introduced into either the House of Commons or the House of Lords, except for financial bills, which may be introduced only in the House of Commons.

In the U.S. only a member of the House or Senate can sponsor new laws, or at the request of the president, interest groups, businesses, labor unions, and many other groups.

To introduce a bill, a member hands it to the Senate clerk or puts it in the House *hopper* (a mahogany box at the Speaker's podium).

The bill's majority and minority "managers" (often the chair and ranking minority member of the relevant committee or subcommittee) guide the debate, speaking for or against the bill and coordinating speeches by other members.

Once a committee reports a bill or resolution, it must be placed on the Senate or House agenda before the chamber can vote on the measure.

Treaties and presidential nominations for federal offices reported by Senate committees must also be put on the agenda for a vote.

3.5 Scheduling bills

The Scheduling of bills means assigning number to such a bill, such as **HR 205** (House of Representatives number 205) or **S 100** (meaning the 100th bill introduced into the Senate during the session).

The Senate has a simple scheduling system, with two calendars (lists of measures ready for floor consideration):

- The Calendar of General Orders (includes all public and private bills).
- The Executive Calendar (set aside for treaties and nominations proposed by the president).

3.6 Voting and passing bills

The House and Senate pass many routine bills with the agreement of all members, using a procedure called unanimous consent.

The bill's managers—its sponsors or senior committee supporters—control House floor during a debate. Members are expected to vote on amendments and final passage of the bill.

In the U.S. Senate Voting may be by voice, by division (standing to indicate support or opposition), or by individually recorded votes. Most important votes are recorded individually.

In the U.S. House of Representatives members cast votes by inserting a plastic card into small boxes located throughout the chamber and vote “aye,” “no,” or “present” (abstain).

Their votes are recorded electronically and displayed on a large tally board on the front wall of the House gallery.

Lights on the board show each member’s vote. The “yes” is noted with a green light, “no” with red, and “present” with amber.

After the vote is announced, the chamber empties and the House turns to the next order of business.

For floor votes—votes of the entire Senate—a clerk calls the roll and records senators’ votes individually.

3.7 Moving bills to the second chamber of the House

When a bill is approved on the floor of one chamber of Congress, it passes over to the second chamber for consideration.

The bill again faces introduction, committee referral, and committee action, placement on the calendar, floor debate, and floor vote.

If the second chamber modifies the bill in any way, it must then be sent back to the first chamber.

Sometimes sending the bill back and forth results in an agreement by both chambers.

3.8 Conference committee

Where there is no immediate agreement by the two chambers on the bill, the chambers will create a *conference committee*, which brings together members of both chambers.

The conference committee tries to agree on a compromise bill that is acceptable to both the House and the Senate.

The bill produced by the conference committee must then be approved by both chambers, and then sent to the president.

3.9 Presidential assent or veto

When both houses approve a bill or resolution and send it to the president's desk, the president has ten days to sign it into law or return it to Congress on veto.

If the president fails to either sign or return the measure within ten days, it becomes law anyway—unless Congress is out of session.

If the president opts not to act on a bill for ten days after Congress has finished its session, it is automatically vetoed (pocket veto).

If the president vetoes a measure, Congress can override the veto only through a two-thirds vote of both chambers.

3.10 Passing Resolutions

Congress also passes *joint resolutions*, often to enact temporary legislation such as short-term budget extensions. Joint resolutions have the force of law when signed by the president or when passed over the president's veto. Congress sometimes expresses its opinions through *concurrent resolutions*, which do not require the president's approval and do not carry the force of law. The House or the Senate can vote on its own to pass a *simple resolution*, which affects only the chamber that passes it.

3.11 Sitting as Court of Appeal

When the House of Lords sit as the highest court of appeal in Britain, the Lords' deliberations are limited to those peers with judicial experience.

3.12 Other Influences on the Legislative Process

a. Political parties

Congress is organized and led by its political parties. In both chambers, political parties award committee assignments to their members. The majority party provides chairpersons for all the committees and sub-committees.

In the House, the majority party draws up the rules and specifies the party balance of committees.

These powers to organize House business give the parties' power over individual members.

In the Senate, the majority and minority party leaders negotiate with each other on the size and party balance of committees, although the majority party controls a larger portion of the committee staffs and budgets. Members tend to cast legislative votes along party lines.

b. The president

The President shapes the legislative agenda, and tries to persuade members of Congress to support particular bills.

Presidents can veto (reject) legislation that has been passed by Congress.

c. Interest group pressure

Groups often send representatives to speak directly to lawmakers (lobbying) who are most persuasive when they can supply facts and arguments for lawmakers to use in defending their vote. Interest groups try to win congressional support by contributing money to the electoral campaigns of individual members.

Increasingly, congressional races are influenced by political action committees that try to influence the congressional agenda by raising money to support candidates sympathetic to their cause.

c. Public opinion

Congress responds directly to the activities of individuals and groups and often, no major issue is resolved before members have tested the public's opinion.

Senators and representatives listen carefully to their constituents. Citizens can write or phone the offices of senators or representatives in Washington, D.C., or in home states. Members regularly travel back and forth between Washington and their home bases to meet with constituents. Computers and electronic technology such as faxes, e-mail, the Internet, electronic town halls, and radio and television talk shows enable members of Congress to take the nation's political pulse quickly.

4.0 Conclusion

Legislative process as used in this unit connotes all the ways of the legislature, the powers of the legislature in its entirety and not just its power as it relates to the law-making process. The processes they undergo beginning with the convening, rules and procedures, types of bills that get introduced, how these bills are scheduled and voted on and eventually get passed into bill. It is interesting to note how the bills get moved to the second chamber and what goes on in this chamber. Conference Committee is quite interesting too as well as the faith of the bill in the hand of the President. Influence of other organs on the legislative process is equally very important.

5.0 Summary

In this unit, we identified and treated several processes of the legislature in their execution of their legislative duties. The processes they go through in their day to day execution of their duties shows that the legislature is very instrumental in the establishment, sustenance and growth of democratic government.

In the next unit you will introduced to role of bureaucracy in the legislative process.

6.0 Tutor Marked Assignment

1. Discuss in detail the process a bill undergoes from its introduction to passage into law.
2. What happens to a bill when it gets to the President's desk?

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Unit 2: THE ROLE OF BUREAUCRACY IN THE LEGISLATIVE PROCESS

- 1.0 Introduction
- 2.0 Objective
- 3.0 Main Content
 - 3.1 The Role of Bureaucracy in the Legislative Process
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor Marked Assignment

7.0 References/Further Readings

1.0 Introduction

Bureaucracies are associated with large institutions where people with specialized knowledge are organised into clearly defined hierarchical structures or offices. Each of these structures have specific mission. In this unit, we examine the role of bureaucracy in the legislative dispensation. It is pertinent to know that Bureaucracy provides the personnel that support the activities of the legislature as well as the administrative back-up for legislative functions.

2.0 Objectives

At the end of this unit, you are expected to know the roles and importance of bureaucracy in the legislative proceedings.

3.0 Main Content

3.1 The Role of Bureaucracy in the Legislative Process

Bureaucracies are regarded as formal rules and procedures to guide behavior in an organization. There are clear chains of command in which each person has

only one boss or supervisor. Appointment and advancement are based on merit rather than on inheritance, power or election.

In a pure bureaucratic organization, people are often frustrated as they seem to be treated as numbers instead of individuals. Individuals are seen as simply one case among many others without any sensitivity to the distinctiveness of their particular situation. Bureaucratic treatment is based on general rules and policies rather than on who we are as individuals or on individual's circumstances. Treating everyone the same is in the public interest and it ensures that treatment of people is not discriminatory or abusive. An organization where things do not work normally or where there are bottlenecks in getting things done unless one has the 'right connections' should not be attributed to the officials being "bureaucratic" but that the officials are not being "bureaucratic" enough.

The modern state cannot exist without large bureaucratic agencies to implement its programmes. Modern democratic governments are necessarily bureaucratic entities and the success of modern government can also be considered as the success of government bureaucracies as well. If government is successful or good then such can be attributed to a good bureaucracy which is the machinery that makes the government successful. Without bureaucracy, modern democratic government could not possibly fulfill all the crucial roles it plays in the society such as economic, social, health, security, justice, education,

environmental etc. Above all bureaucracy provides personnel support to the legislature. It also gives administrative back-up for legislature to function effectively. After all, it is the bureaucratic class that sees to the implementation of government policies.

4.0 Conclusion

Bureaucracy is an important political safeguard of the modern democratic state. A good bureaucracy breeds good government and vice versa. Credit for good government should be given to the agencies that make the government programmes and policies work. Without bureaucracy, modern democratic governments could not possibly fulfill all the crucial roles it plays in society.

5.0 Summary

In this unit, we discussed the bureaucracy and its roles in the modern legislative government. We examined the truth about bureaucracy and realized that government or any meaningful organization needs

bureaucracy for things to work. An unsuccessful organization cannot be attributed to too much bureaucracy but rather to lack of it. In the next unit, we will examine the Legislative in Appropriation Bills.

6.0 **Tutor Marked Assignment**

1. Where things go terribly wrong in bureaucracies, it is often because they are not acting bureaucratic enough. Discuss.

7.0 References/Further Readings

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Unit 3: **LEGISLATIVE SIDE IN APPROPRIATION BILLS**

1.0 Introduction

2.0 Objectives

3.0 Main Content

3.1 Legislative Side In Appropriation Bills

3.2 Presentation of Estimates to the Legislature

3.3 Approval of Money by the Legislature

3.4 Passing Appropriation Bill

4.0 Conclusion

5.0 Summary

6.0 Tutor Marked Assignment

7.0 References/Further Readings

1.0 Introduction

In the last unit, we studied the role of bureaucracy in the legislative process.

We noticed that bureaucracy is essential in organisations and that an organisation that does not function effectively is traceable to the absence of bureaucracy and not as a result of its presence. In this unit, we are going to

study the legislative side in appropriation bills. BBC dictionary defines a bill as a formal statement of proposed new law that is discussed and voted on. According to Raskin (1978) as quoted in Maduabum (2008:623), an appropriation bill is a financial proposal of estimates of revenue and expenditure of what government is doing as well as what they intend to do in future. Constitutionally, the "Appropriation Bill" is the basis of the Executive's blue print or plans of running the government within the relevant fiscal year. Let us examine the appropriation bill process itself from the presentation of estimates by the executive through all the processes the bill will go through to the final passage of the appropriation Bill itself.

2.0 Objective

At the end of this unit, you are expected to know and be able to discuss the following;

- a. Legislative Side in Appropriation Bill
- b. Presentation of estimates to the legislature;
- c. Approval of moneys by the legislature
- a. Passing of Appropriation Bill

3.1 Legislative Side in Appropriation Bills

The 1999 Constitution of the Federal Republic of Nigeria mandates the president to prepare and submit for each financial year, estimates of revenue and expenditure of the federation for the next year before the National Assembly in a form of a bill known as Appropriation Bill. There are two sides to this appropriation bill, the budgetary side which emanates from the executive and the legislative side.

3.2 Presentation of estimates to the legislature by the executive

The Appropriation Bill process starts from the executive who is vested with the power according to Section 59, subsection 1-4 of the 1999 Constitution to plan, formulate and transmit budgetary requests and information and present same to the National Assembly for the purpose of legislative deliberations. The same constitutional provision empowers the National Assembly to make laws relating to Appropriation Bill presented to it. Ippolito as cited in Maduabum (2008:624) explained that the bill will contain the following:

- a. An account on how fund had been spent in the past
- b. A plan of estimated receipts and outlays

- c. A discussion of importance and priorities that the President assigns to various programmes and government activities containing his recommendations on programmes needsetc and
- d. Requests to the National Assembly to provide authority through the legislation to spend public money.

The President in compliance with the constitutional provision presents the Appropriation Bill to a joint session of the Senate and the House of representatives. Thereafter the Bill will pass through first reading (debate) in both houses of the National Assembly. In this case the legislators are given the chance to study the draft bill and consult their respective constituencies and supporters. After the first reading, observations are made and noted but there is no amendment at this stage. Thereafter the House adjourns after the day's session and when they reconvened, the bill can only be allowed to go the its second reading through a motion to that effect. The bill may go to third or more readings and debates before it enters into the committee stage. It is during the committee stage that the various issues raised on the bill are thoroughly examined and seriously debated. Here, members are given the opportunity to speak more than once on an issue unlike when the bill was at the teething stage on the floor of the house. Also, at this stage, heads of agencies and parastatals are invited to appear before it to defend their budgets. The Senate and House

Committee are given deadlines on which to submit their reports to their separate houses (Maduabum: 2008).

After submitting these reports, the chairmen of Appropriation Committees present their reports along with the amendments to the various houses. The House is not mandated to accept these reports as they can, on the contrary, reject, amend or accept all or parts of the amendments. After all the amendments and corrections have been made, the corrected and amended bill is sent to the National Assembly for final reading and voting. It is pertinent that the Appropriation Bill be passed by both Houses of the National Assembly before it is sent to the President for his assent. If there is a disagreement between the two Houses, a joint committee comprising members of the two houses is set up for the purpose of reconciling their differences after which the bill is passed and subsequently sent to the president for his assent.

If in respect of any financial year it is found out that the amount appropriated by the Appropriation Act for any purpose is insufficient or a need has arisen for expenditure for a purpose for which no amount has been appropriated by the Act, a supplementary estimate showing the sums required shall be laid before each House of the National Assembly as a Supplementary Appropriation Bill.

3.2 Approval of moneys by the legislature

No money shall be withdrawn from the Consolidated Revenue Fund of the Federation except to meet the expenditure that is charged upon the fund by the constitution or where the issues of those moneys has been authorized by an Appropriation Act or Supplementary Appropriation Act.

No moneys shall be withdrawn from any public funds unless the issue of those moneys has been authorized by an Act of the National Assembly.

Neither should any money be withdrawn from the Consolidated Revenue Fund or any other public fund of the Federation, except in the manner prescribed by the National Assembly.

3.3 Passing Appropriation Bill

The Constitution of the Federal Republic of Nigeria states that Appropriation Bills shall be passed by each of the Houses of the National Assembly before being forwarded to the President for his assent. When the bill gets to the president's desk, he shall, within 30 days give or withhold his assent. If he raises an objection to any aspect of the bill, it will be sent back to the National assembly for reconciliation. Then a joint meeting of both houses is summoned and after a careful deliberation of the president's objections or observations, the house may accept or reject

the president's objections/observations by a two-third majority vote of members at such joint meetings.

Where the President withholds his assent (on a bill as finally amended by both houses) within 30 days of its second presentation, the bill shall become law and the assent of the President shall not be required any more.

4.0 Conclusion

Appropriation Bill accords the legislature formidable power to shape the outcome of public policies (Nwankwo:79). Harris (1965:8) affirms this assertion, according to him the power of the legislature over expenditure is probably the most important single control over the various (executive) departments. It is through this appropriation bill process that the legislature exercises its most effective oversight functions of departments, agencies and programmes of government. Also through the appropriation bill process the legislature use the potential budget to effect those obligations of divided interests and channel them in the right direction in order to move the economy and the country in the desired direction.

5.0 Summary

In this unit we examined the legislative side in appropriation bills. We noticed the part the legislature plays in the appropriation bill right from the presentation of the bill by the executive to its passage into law. The power of the legislature to check the excesses of the executive were brought to the fore too. We also noticed that when the legislature uses their power in the appropriation bill process correctly, they will go a long way to move the economy and the country in the right direction.

In the next module we are going to examine the constitutional provisions of the legislature, the legislature as representative of the people, the committee system, and the importance of the legislature. We will finally bring the course to an end with the legislature in Nigeria.

6.0 Tutor Marked Assignment

1. List and explain the legislative process in appropriation bill.
2. Express your views about the legislative process in Nigeria government.

7.0 References/Further Readings

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MODULE 4

- Unit 1: The Constitutional Provisions of the legislature**
- Unit 2: The Legislature as representative of the People**
- Unit 3: The Committee System in the Legislature**
- Unit 4: The Legislature in Nigeria**

Unit 1 The Constitutional Provisions of the Legislature

- 1.0 Introduction**
- 2.0 Objectives**
- 3.0 Main Content**
 - 3.1 The Constitutional Provisions of the Legislature**
- 4.0 Conclusion**
- 5.0 Summary**
- 6.0 Tutor Marked Assignment**
- 7.0 References/Further Readings**

1.0 Introduction

A constitution is a formal document having the force of law by which a society organizes itself, defines and limits its powers as well as prescribes

the relations of its various organs within itself and with the citizen (Nwabueze, 1973 in Maduabum, 2008:199). The 1999 constitution provides the legislative powers of the legislature and the exercise of this legislative power gives them the mandate to thwart the excesses of the executive as well as those of others that are involved in the affairs of the government.

There is also another important function which the legislature performs which is seen as an essential element that is sufficiently employed by the constitution. This is called an oversight or surveillance function of the legislature. This means the exercise of constitutional powers by the legislature to check or control the exercise of executive powers of the other arms of government or to make the executive accountable and responsible to the electorate through their representatives in the legislature. It also promotes rational and efficiency in the formulation and administration of public policy, reaps party advantage and advances the cause of individual legislators, interest groups and other stakeholders in the polity.

2.0 Objectives

At the end of this unit you are expected to know all the constitutional provisions of the legislature as well as the oversight or surveillance functions they perform.

3.0 Main Content

3.1 The Constitutional Provision of the Legislature

Constitution, according to many authors, is generally perceived as the composition and powers of organs of the state that regulates the relations of the various state organs to one another and to the private citizens. Bamgboye (2003) sees it as the entirety of the government of a country; the collection of rules and regulations which establish and regulate the affairs of the country. According to Blacks Law Dictionary as quoted in Maduabum (2008), Constiitution is defined thus:

“Constitution is the organic and fundamental law of a nation, which may be written or unwritten, establishing the character and conception of its government, laying the basic principles to which its internal life is to be conformed, organizing the government and regulating, and limiting the functions of the different departments and prescribing the extent and manner of the exercise of powers. It is a charter of government deriving

its whole authority from the governed.... agreed upon by the people of the nation as an absolute rule of action and decision for all departments and officers of government in respect of all the points covered by it ... and in opposition to which any act or ordinance of any such department or officer is null and void."

From the above definition, we can deduce that the constitution lays down the basic principles of government, prescribes the functions and powers of government, regulates the exercise of these powers and above all derives its authority from the people.

The current 1999 constitution is the constitution that guides and regulates the affairs of the Nigerian state. Chapter five of the 1999 constitution deals with the legislature which is the sovereign organ of the state power vested with the power of law-making (see Sect. 47-129). This constitution stipulates that there should be a National Assembly for the Federation which shall consist of the House of Senate and House of Representatives. The house of Senate will comprise three senators from each state and one from the federal capital territory, Abuja. The House of Representatives will comprise three hundred and sixty members representing various constituencies. There is also the President and deputy President for the Senate while the House of Representatives will have Speaker and Deputy Speaker

respectively. These shall be elected from among the members of both houses.

The Constitution provides for the following functions and powers for the legislature:

- a. Law making: This is the most essential function of the legislature in many countries, Nigeria inclusive. We have earlier discussed this legislative function.
- b. Judicial function: They perform judicial function sometimes. They have the power to remove an official from office. They have exercised this constitutional right and impeached some state government executives.
- c. Appointment of Public Officer: They play leading roles in the appointment of public officers such as ambassadors, ministers, Attorney of the Federation.
- d. Watchdog of the Executive: They act as checks and balances on the executive arm of the government. Sections 80 and 81 of the 1999 Constitution of the Federal Republic of Nigeria stipulate that it is the National Assembly that gives authorization to the President and executives for all expenditures from the Consolidated Revenue Fund.

The legislature must consider the executive's budget and the appropriation bill passed before any money can be withdrawn from the constitutionally established funds and accounts to run the affairs of the government. The cabinet also gives periodic account of its activities to the legislature.

- e. Financial power: They give approval to the financial proposal or budget sent to it by the executive. This gives the knowledge of the revenue accruable to the government as well as what aspect of this revenue is spent on the citizenry and what is spent on the developmental projects for the country.
- f. Constitutional Amendment: They are empowered by the constitution to amend the constitution of the country or initiate the amendment of the national constitution.

4.0 Conclusion

The legislature presents the symbol of representative democracy and ideally should function in a manner that will sustain enduring constitutional democracy, rule of law, accountability and good governance. The constitutional provision of the legislature demonstrates that the

legislature's constituents representative nature makes them responsible to the people as they possess the sovereign will of the people. They also act as a veritable check and control on the executive excesses or misrule. In the discharge of their legislative duties, they also define the scope and limits of the exercise of executive powers thereby giving effect to the constitution.

5.0 Summary

In this unit we examined the constitutional provision of the legislature. We observed the vested power of the legislature as they apply checks and balances in performing their constitutional duties. The Nigerian legislature appears inefficient in the exercise of checks and balances function in that in most cases, the executive arm always had its way.

6.0 Tutor Marked Assignment

1. Discuss in detail the checks and balances of the legislature towards the executive arm of the government.

7.0 References/Further readings

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Unit 2: THE LEGISLATURE AS REPRESENTATIVE OF THE PEOPLE

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
 - 3.1 The Legislature as Representative of the People
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor Marked Assignment
- 7.0 References/Further Reading

1.0 Introduction

As discussed in the last unit, the constitutional and primary function of the legislature is to make laws for peace, order, accountability and good governance of the federation or any part thereof. In this unit, we will see the legislature in its true nature as the elected representatives of the people representing different constituencies.

2.0 Objectives

At the end of this unit you will be able to understand and discuss eruditely the legislatures' roles as the representative of the people.

3.0 Main Content

3.1 The Legislature as Representative of the People

The legislature have the responsibility to constantly feel the pulse of the people, identify their problems, challenges and desires. They present the peoples' challenges as legislative proposals and create opportunities for their discussion through motions, resolutions and enactment of relevant laws to address these challenges.

It is the legislatures' responsibility to balance and harmonize the vast number and variety of demands of their constituencies. They also pursue the common good of the people by putting in place procedures and practices to harmonize the legitimate aspirations of every individual, group and interest in the country. Let us examine hereunder how the legislature performs their various functions.

a. Legislative Functions:

As discussed earlier, the Nigerian Constitution in its Section 4 states that the major function of the legislature is to make laws for the peace, order and good governance of the federation or any part thereof. After following their procedural in-depth debate and discussions, they pass Bills into law. It is this laws that is called "Acts".

b. Representative Functions

When we critically examine the functions performed by the three arms of government, we notice that the legislature stands out as the nucleus or cord that binds the entire governmental system. Maduabum, (2008) describes it as a binding force and the pivot around which the system of governance revolves. As the elected representative of the people, they know the peoples' worries, yearnings, and problems. Having knowledge of peoples problems enable them to give effect to these problems through debates, motions, resolutions and thereafter enact requisite laws. They make the laws under which the citizens are governed. They project the common welfare of the people. It is the legislature that shapes democracy. They give meaning to democracy and indeed they cannot be democracy without the legislature. They bear the burden of furthering the cause of the government and ensure that they maintain their sovereignty and

unity. They carry out these functions in a manner that is open, transparent, just, civilized and people friendly.

c. Oversight Functions:

The legislature acts as a 'watch-dog' or a check and balance over the Executive

And Judicial arms of government. They constantly evaluate, review, monitor, supervise, query and, where necessary, censor the activities of the executives.

In carrying out their duties, they are careful not to meddle with the affairs or functions of the executive. They ensure that the constitution and the enacted laws are applied judiciously in the execution of government business. They make sure that the states' resources or funds are utilized as judiciously as possible. The above constitutes the oversight function of the legislature as far as representative of the people is concerned.

4.0 Conclusion

The legislature is true representation and representative of the people. Its actions are people-oriented as they are the elected representatives of the people. They constantly feel the pulse of the people, identify their problems and give effect to these problems through debates, motions,

resolutions and enactment of requisite laws all for the common good of the people.

5.0 Summary

In this unit, we took a look at the part played by the legislature as the true representatives of the people. We observed their legislative functions, representative functions and their oversight functions. Their various functions merited them the name 'watch-dog' of the government.

In the next unit, we are going to study the committee system in the legislature. You will gain a lot of insight into the affairs of the legislature if you read this committee system very well.

6.0 Tutor Marked Assignment

1. The legislature is often called the 'watch-dog' of the government. In your own words discuss the various reasons why the legislature merited to be addressed thus.

7.0 References/Further Reading

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Unit 3: COMMITTEE SYSTEM IN THE LEGISLATURE

1.0 Introduction

2.0 Objectives

3.0 Main Content

3.1 Structure of Committees

3.2 Membership of the Committees

3.3 Functions of the Committees

3.4 Operations of the Committee

4.0 Conclusion

5.0 Summary

6.0 Tutor Marked Assignment

7.0 Reference/Further Readings

1.0 Introduction

In the last unit, we studied the legislature in their duty as the people's representatives. In this unit, we will examine the Committee system of the Legislature. But before we do this we need to understand who the Committees are and what they do. Committees in the Legislature are delegates of the houses of Parliament i.e the Legislative Council and legislative Assembly. It is a vital tool which the Parliament uses to assist them in their functions to legislate, gather information, carry out investigations, review administration and expenditure, monitor and review legislation. Members of the Committees carry out responsibilities which are equal to the service in the House but more importantly, they can perform functions which a House may not be well endowed to perform. In the committee stage members are given the opportunity to speak more than once on an issue unlike when it was at the preliminary stage of the deliberation on the floor of the house. Also it is at the committee stage that Heads of Agencies are invited to appear before the Committee to defend their budgets. The House Committees are given deadlines within which to submit their reports to the separate Houses.

2.0 Objectives

At the end of this unit you are expected to know the following

- The reasons for the appointment of committees in the Parliament.
- The structures of the Committees and,
- The functions of the Committees.

3.0 Main Content

3.1 Structure of Committees

There are no standardized structures for the Committees as different countries have different structures for their Committees. In other words, each country's Parliament has different types of Committees that are appropriate to the functions they are appointed to perform. They may consist of a specialized quasi-judicial body with only a few members but where there are issues of national interest, the Committee may involve the whole House. The U.S. senate has 16 standing Committees while the House of Representatives has 19 Committees with sub-committees to consider narrower topics. The Western Australian Parliament has three major types of Committees:

1. Committees of Inquiry: This is appointed to inquire into subject of business before the relevant House or matters of public policy or government.
2. Domestic Committees: This Committee is established to consider the House internal parliamentary administration.
3. Committees of the whole House: This is the House but in a less formal way. The 'Chairman of Committees' presides over this committee and conducts its affairs but this is done in a more flexible rules of procedure.

3.2 Membership of the Committees

In America the Congress divides its workload among a number of specialized committees and subcommittees that are aided by professional staffs. They conduct most of their work through two major types of committees:

1. The *standing committees*: This is usually permanent and takes responsibility for a particular subject area. They have power only to authorize government action and cannot commit funding to implement the policy. They supervise government agencies that fall under their area of specialization.

2. The *select* or *special* committees: This Committee write bills on a particular topic, conduct investigations, authorize and oversee the nation's intelligence-gathering operations, including the Central Intelligence Agency (CIA) and the National Security Agency.

The Senate also creates ad hoc committees which is temporary and single-issue committees—to consider House proposals.

The American Senate's growing workload prompted the chamber to replace the system of ad hoc committees with 12 standing legislative committees in 1816.

On average U.S House of Representative members work on two committees and three subcommittees. The majority party dictates how many majority and minority members sit on each committee. Political parties decide which committees their representatives will sit on. Party committees plan party policy and recommend members for committee assignments. The Senate also creates joint committees in cooperation with the House which usually have equal number of members from the House and the Senate. Joint committees can conduct hearings but cannot consider legislation. They also establish select or investigative committees

to conduct inquiries into specific scandals or problems. Select committees usually have temporary authority, and most of them lack the power to formally consider legislation.

3.3 Functions of the Committee

There are numerous reasons for the appointment of Committees.

Committees can handle issues in detail than the whole house. Party politics are brought to the barest minimal in a Committee than in the House.

Committee is more competent to hand a complex matter and also assist Parliamentary debate by clarifying issues and establishing common ground among members of different parties. Legislative committees oversee the executive agencies related to their area of specialization. Committees are more practicable than a House as they can perform functions which a House may not be well placed to perform. They carry out investigations, travel far and wide for inquiries, seek expert advice etc. Committee provides different sectors of the community the opportunity to participate in law making and policy review.

Before most laws can be carried out, they must receive an appropriation of funding, processed and brought to the floor by the House and Senate appropriations committees during Congress's annual budget process.

The amount of money in the budget depends on the level of taxes and other revenues brought in by law processed by the Senate Finance Committee and the House Ways and Means Committee.

After a bill is introduced, the presiding officer—the Speaker of the House or the president pro tem of the Senate—refers it to a specialized committee to review the measure.

3.3 Operations of committees

Much of a committee's work is handled by a sizable number of professional staff assistants and experts in technical areas, such as military weapons, farming, and international finance. They guide lawmakers—especially those who are new or inexperienced—through the web of issues handled by the committee. Most committees conduct much of their business through subcommittees, in which the subject matter of the committee is further broken down. Complex bills receive attention from several committees and subcommittees. A farm trade bill, for example, might be considered by the House's agriculture, commerce, and small business committees.

Committee also reviews bills. This may involve hearings, staff research, revision, amendments, and then a final recommendation to approve or reject the measure.

Hearings sometimes highlight support for a measure, but they can also point out flaws and spark conflicts within Congress and the country at large. Hearings usually affect the committee's main decision, whether to report (recommend) the bill to the full chamber or to reject it entirely.

4.0 Conclusion

Based on the various issues discussed under this unit the following conclusions were drawn.

1. There is no mandatory structure for Committees formation as this depends on the country and the situation before its parliament. Hence Parliaments have developed different types of Committees that are appropriate to the functions they are appointed to perform.
2. Committees are more practicable forum than a House as they can perform functions which a House may not be well endowed to perform.
3. The establishment of Joint Committee in a bicameral Parliamentary system brings in both Houses of Parliament together and strengthen debate on a bill before its passage.

5.0 Summary

This unit reflects on the Committee System in the Legislature. We discussed that the Committee system is very necessary in the House of Parliament as they facilitates division of labour in the House of parliament. We also observed from their numerous functions that they carry out a great deal of detailed work of each of the House. They are one of the tools to assist the House of Parliament in their legislative functions.

6.0 Tutor Marked Assignment

1. Give reasons why Committee system in the Legislature should not be abolished.

7.0 Reference/Further Reading

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Unit 4: THE LEGISLATURE IN NIGERIA

1.0 Introduction

2.0 Objective

3.0 Main Content

3.1 The Legislature in Nigeria

- 3.2 Features of the Nigerian Legislature**
- 3.3 The Constitutional Provision of the Legislature**
- 3.4 Powers and Functions of the legislature**
- 4.0 Conclusion**
- 5.0 Summary**
- 6.0 Tutor Marked Assignment**
- 7.0 References/Further Reading**

1.0 Introduction

This unit gives you an insight of the Legislature in Nigeria democratic government. It comprises of features of Nigerian legislature, compositions of the National/State legislature, their constitutional empowerment and the functions they performs. This unit will acquaint you with the happenings in the National Assembly as well as the State Assembly.

2.0 Objective

By the end of this unit, you should be able to:

- Know the legislature as is practiced in Nigeria
- What the Constitution provides for them as well as
- The powers and functions of the legislature and many more.

3.0 Main Content

3.1 The Legislature in Nigeria

The legislature is the highest law making organ of any democratic government. The Nigerian Constitution accords the National Assembly with the status of law-making. The National Assembly is for the federation and is made up of two Houses: the upper House known as the Senate and the lower House which is known as the House of Representatives. This is also known as bicameral legislature.

The Senate has as its leader the Senate President who is assisted by the Deputy Senate President both of whom should be elected from among the members. It is made up of three members from each state of the federation and one member from the federal capital territory bringing the total number of its members to 109. The House of representative is presided over by the Speaker of the House and is assisted by Deputy Speaker both of whom shall be elected from among the members also. It shall comprise 360 members representing various constituencies in Nigeria. There shall be a Clerk to the National Assembly.

The main function of the National Assembly is enactment of laws for the country. They can, by two-third majority vote, pass a bill which the President fails to assent into law. The Budget proposal by the executive arm of government should pass by the houses before they are implemented by the executive. All discrepancies in a bill are rectified by joint session of the two houses before its passage into law.

All appointments made by the President will get the consent of the legislature for it to be binding. The Legislature can summon any Minister for questioning and can investigate any aspect of the country's administration in this way; they serve as a check on the executive. In the event of crisis in any part of the country, a state of emergency can only be declared by the President only when it has been approved by the National Assembly.

The Legislature functions within a larger political system and is linked with other institutions in various ways. In effect, its decisions often reflect such inter-relationships.

3.2 Features of the Nigerian Legislature

As mentioned earlier, a Legislature is instrumental in the establishment and maintenance of the legal order, make and legitimize policies, and is vibrant and every ready to meet the needs of the society as they occur. It plays strategic and leadership role in the polity. The Legislature is responsible for making laws for the good governance of the federation. Each of the Houses of the Assembly is made

up of several specialized Committees whose work is on vital aspects of national life. The Constitution, states that all members of the Assembly are required to sit for a minimum of 181 days in a year.

The National Assembly exercises their power to make laws through the bills passed by both the Senate and the House of Representatives and which must receive the President's assent. Any of the Houses can originate a bill but a bill so originated cannot become law until it has been passed by both Houses and receive the President's assent. The Constitution of the Federation stipulates that when a bill is presented to the President for assent, he shall, within 30 days signify that he assents or withholds assent. In the event of the President's withholds his assent, such a bill can be passed into law by two-thirds majority in each House and it automatically becomes law and requires no further Presidential assent.

3.3 The constitutional provisions of the legislature

The 1999 Constitution of the Federal Republic of Nigeria is the organic law of the country. It is supreme and all other laws of the land must conform to its statutes. Its supremacy over others presupposes that its provisions are binding on all authorities and persons throughout the federation.

The Constitution states that the legislative powers of the Federal Republic of Nigeria shall be vested in the National Assembly of the Federation. The

National Assembly consists of a Senate and a House of Representatives and shall have power to make laws for the peace, order and good government of the Federation or any part thereof. The matters which the National Assembly shall legislate on are contained in the Exclusive Legislative List and Constitution provided for 68 of such items. Some of these are Accounts of the Federation, Immigrations, Military, defense, arms and explosives, railways, pensions, copyrights etc.

The Constitution also provides that the legislative powers of a State of the Federation shall be vested in the House of Assembly of that State. Just like in the case of the National Assembly, the State House of Assembly is vested with the power to make laws for the peace, order and good governance of the state or any part thereof and in accordance of any matter provided for in the Constitution. The laws made by the State House of Assembly must be in consistent with the laws made by the National Assembly for it to be a valid law. And in the situation where this is not so, the laws made by the National Assembly will supersedes that of the state in other words, the laws made by the National Assembly will prevail while that made by the State Assembly becomes a nullity.

Under the Constitution, the National Assembly and the State House of Assembly are both empowered to have enormous control over public

funds under their respective domains. They can both establish Consolidated Revenue Funds. Withdrawal of money from this fund is subject to the constitutional provision thereof. The constitution provides for the cases where money can be advanced from this fund but when this happens, such advance must be replenished by the Supplementary Appropriation bill to replace the amount thus advanced.

The constitution creates the position of the Auditor-General for both the National Assembly and the State House of Assembly. His appointment is done by the President or the Governor on the recommendation of the Civil Service Commission subject to the confirmation of either of the two Houses as the case may be. It should be noted that he is independent of either of the two Houses and he can only be relieved of his duty by the legislative arm of the government and this too must follow due process as stated in the constitution. He is constitutionally empowered to audit any aspect of the government business or agencies or government officials and to submit such reports to the legislature.

3.4 Powers and Functions of the legislature

The Nigerian Legislature is constitutional empowered to carry out the following functions:

- Responsible for making laws that govern the Federal Republic of Nigeria
- Exercise power and control over the budget and other public funds
- Has oversight functions and power to conduct investigation on issues and activities of the other arms of the government.
- Controls appropriations
- Approves treaties and federal appointments
- Can override executive vetoes of legislation with a two-thirds vote in each chamber.
- Can impeach and remove the president
- Can deny confirmation to executive appointees or to treaties with foreign governments.
- Possesses oversight powers
- Senate approves appointments of judges
- Possesses power to impeach and remove judges
- Controls appropriations to federal courts

4.0 Conclusion

This unit, which is the last for this course, examined the Legislature in Nigeria.

We discussed its features as well as the constitutional provisions for them

both at the national and the state levels. We also enumerated their powers and functions.

5.0 Summary

We have come to the conclusion of the Course with this unit. From the knowledge you acquired in the entire units, you will notice that the course dealt specifically with the Operations of the Legislature. You will have observed too that the Legislature in Nigeria is similar to the Legislature in the United State of America. You might also have noticed the interesting relationship between the legislature and the executive arm of government. From the knowledge garnered in this course you will agree that the true beauty of democracy lies in the operations of the Legislature.

6.0 Tutor Marked Assignment

1. Explain the role of the Legislature in shaping the agenda of the government.

2. Explain eruditely the assertion that the Legislature brings out the beauty of democracy.

7.0 References/Further Reading

Federal Republic of Nigeria (1999) *The Constitution of the Federal Republic of Nigeria*, Abuja, Government Press.

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