# NATIONAL ASSEMBLY: WINDOWS FOR PARLIAMENTARY OPENNESS AND PUBLIC PARTICIPATION

BY,

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A DISSERTTION SUBMITTED TO THE NATIONAL INSTITUTE FOR LEGISLATIVE AND DEMOCRATIC STUDIES/UNIVERSITY OF BENIN (NILDS/UNIBEN) POSTGRADUATE PROGRAMME, IN PARTIAL FULFILMENT OF THE REQUIREMENT FOR THE AWARD OF A <mark>MASTERS DEGREE</mark> IN LEGISLATIVE STUDIES.

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# DECLARATION

I hereby declare that this dissertation is a product of my own research efforts, undertaken under the supervision of Dr. A.G. Abiola. It is an original work. However, literatures and all other sources of information used have been duly acknowledged through the references.

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David Chiedozie, Nwaenyi                                    Date

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# CERTIFICATION

This dissertation titled  *"legislative committees: windows for parliamentary openness and public participation"* presented by David Chiedozie, Nwaenyi (**PG/NLS/174022**) has met the partial requirements for the award of the degree of Masters in Legislative Studies (MLS) of the National Institute for Legislative and Democratic Studies/University of Benin, Edo State.


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# APPROVAL PAGE

This is to certify that this dissertation "*Legislative Committees: Windows for Parliamentary Openness and Public Participation*" has been read and approved as having met the partial requirements for the award of the degree of Masters in Legislative Studies of the University of Benin/National Institute for Legislative and Democratic Studies and is approved for contribution to knowledge.


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# DEDICATION

To my dear parents, Raphael Chukwudum and Grace Ogochukwu

# ACKNOWLEDGEMENT

# ABSTRACT

This study investigated the level of openness in the 8th National Assembly, the level of public participation, challenges of the Nigerian 8th National Assembly and recommended practicable solutions to the challenges identified. This study is significant because: It will increase legitimacy of parliamentary institutions and building trust and cordial relationships between the parliament and the citizens, Strengthen citizens' knowledge of the duties of Parliamentary Committees, Encourage the parliament and her support institutions on engaging the citizens and introduce practicable methods of modern citizens' engagement in parliamentary activities, Educate the public on how their diverse interests could be articulated and communicated to the Parliament, etc.

The study which was conducted in the city of Abuja, designed specific methodology for each specific objective and used purposive sampling of 80 key stakeholders (spread amongst the Media/Press, Public and National Assembly staff) from a target population of approximately 1 million residents. These key stakeholders were identified purposively as they were adjudged to possess the requisite knowledge of the legislative process. The level of openness in the 8th NASS was found using the Declaration of Parliamentary Openness, as a measuring tool. The level of participation in the 8th NASS was determined through a combination of primary and secondary data (questionnaire and reports). The challenges was identified using primary and secondary data, through Interview of key stakeholders from the NASS, Media/Press, and the Public. The practicable solutions to the challenges identified were gotten using primary and secondary data, through Key stakeholders' interview and other relevant Parliamentary openness declarations.

The study found that the Nigerian 8th National Assembly was not entirely closed to the public. But had a low level of public participation in its various activities. This was because there was low information sharing, low civic education, compounded by faulty processes and designs of the participation processes used by the assembly. The study also found that the level of public participation in the 8th NASS was average. The study further found some the challenges of the Parliament, and they included poor funding, lack of skilled staff, lack of space, corruption, non-functional constituency offices, etc. Finally, the study found some of the major challenges and they included poor stakeholder engagement, limited resources, insufficient meeting space, insufficient technical knowledge amongst legislators and legislative staff, low citizen participation and lack of political will, etc.

The study recommended that: the introduction of mechanisms for openness, to enable a more open Parliament, which could increase public trust and enhance citizen participation. the NASS take a step forward to be more open and committed to being more engaging and sharing of parliamentary information with the public, the public should be intensely sensitized, on the functions of the parliament, the roles they can play to assist the Parliament effectively carry out their constitutional functions, constituency offices should be strengthened, and legislators and staff equipped with adequate skills, to enable them be effective in legislative process.

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# LIST OF ABBREVIATIONS

**NASS**: Nigerian National Assembly

**MDAs**: Ministries Departments and Agencies

**MPs**: Member(s) of Parliament

IPU: Inter Parliamentary Union

CISLAC: Civil Society Legislative Advocacy Centre

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# CHAPTER ONE

# INTRODUCTION

## 1.1. Background to the Study

Parliament is the hub around which democracy revolves. In parliament, the interest of the highest possible number of citizens is represented. It is a place where the citizens converge, with the intentions of seeking solutions, adopting laws, keeping tabs on the government, approves budgets, etc.! Since it is practically impossible to assemble all the citizens under one roof, for this purpose, the system therefore provides a structured representative pattern - which allows constituencies and districts to choose whoever they want to represent them (in the assembly). And the process of making this choice is only through election, wherein the citizens vote for their choice candidates. The participation of the citizens in this process shows clearly that the absence of the citizens renders the process null and void.

Every parliament, because of the enormous task given to it, devolves into small groups and the small groups are regarded to as committees. Committees are the most important working bodies in a parliament. The larger chunk of the works done by any Parliament is often done through its committees. And this is what makes committees indispensable in the legislative process. It is not that plenary sitting is less important, but its function is different: to give publicity to debate over decisions and to take final decisions in a ceremonial manner. This is not to say that parliamentary committees do not play a political role, but their interventions take place at a preliminary stage, except in some specific circumstances (legislation in committee, when it is constitutionally possible, or in some particular aspects of parliamentary enquiries or oversight powers). In fact, historically the establishment of committees was a pragmatic answer to an evident need: to gather members of parliament in smaller groups in order to enable more efficient work. They also give more time to parliament to prepare its answers to government initiatives.

The committee system is the engine component of the legislative process in a presidential system. When it is effective, it operates as the functional machinery of the legislative institution for the purpose of demonstrating separation of powers, overseeing the activities of the arms of government on behalf of the people and procuring relevant information to facilitate the building or restructuring of the statutory fabric of the nation (Committee Manual, 2).

A strong, active committee system is an asset in any functioning parliamentary democracy. A comprehensive system of parliamentary committees provides greater accountability by making the policy and administrative functions of Parliament more open, citizen-engaging and accountable. Committees provide a forum for investigation into matters of public importance and give Members the opportunity to enhance their knowledge of such issues. In short, they allow the Parliament to ensure that the right decisions are being made at the right time and for the right reasons. At the same time, they effectively enhance the democratic process by taking the Parliament to the people and giving them a role in its operations.

There is a trend to move toward more reliance on committees to conduct the work of parliament, and the greatest reason for this trend is a concern for efficiency. The demands on a modern parliament are numerous and it is not possible for the whole house to consider all the details necessary for performing the proper function of a legislature.

In a multi-ethnic and multi-cultural society like Nigeria, trust in parliaments and other political institutions are often weak. While a lack of confidence in state institutions is not unique to the masses, there is a widespread recognition that, if citizens can be engaged appropriately, they will remain engaged and abreast with the activities of government. And where there are nowadays various ways for voters to raise their concerns, parliaments are the only bodies that exist specifically to collate and articulate the nation as a whole. Parliaments

can thus play a key role in restoring the relationship between the citizens and the government, especially in an economic crises or political transition.

What does parliament do? How does it work, and what do different pieces of legislation actually mean? None of these questions are easily answered. To most citizens the work of parliament remains fairly obscure. Legal language often alienates those without a law degree, and the intricacies of political processes are lost on many – if not most – of those who are not actively engaged in them, whenever legislative issues are discussed.

## 1.2. Statement of the Problem

The ideal parliament is one which is open and truly represents the interest of the citizens. A parliament however, cannot effectively represent the citizens and efficiently carryout their constitutional functions without the engagement of the citizens. The engagement of the citizens in carrying out parliamentary functions provides the parliament data, advisory opinions, and support in monitoring, overseeing compliance by the government and private contractors, facts and statistics from local, national and international levels, etc.

Barnhart (1999) opined that:

> One of the criticisms of parliament is that people do not know what it is doing and do not understand the procedural, ceremonial, and historical image of parliament. Many have called for more public education programs to make the citizens aware of the role of a Parliament and the reason for its procedures and ceremony. Again, perhaps committees can serve a role in putting the Parliament in touch with its most important clients - the public (Barnhart, 1999: 6).

As participatory democracy evolves, the call to integrate the citizens in public policy deliberations becomes stronger. But this requires a fundamental shift in the way parliaments operate and their relationship with citizens, and ultimately on how the people understand parliamentary representation. Most parliamentary activity is still very much an insider's

business-between the political class, pressure groups and the media-but there is increasing pressure on parliaments to open up to citizens rather than relying on their delegated legitimacy.

Efforts are being made by the Nigerian NASS to achieve the level of openness that is advocated by Parliamentary Monitoring Organizations (PMOs), to satisfy the desires of the Nigerian public, and also enhance the participation of the public in parliamentary activities. These efforts have led the NASS to provide services and trainings to legislators and committees on best practices and mechanisms available and also provide platforms that enhance openness and enable public participation. They include Town hall meetings, National assembly open week, Constituency offices and constituency weeks, Live Television broadcast, Public hearing, establishment of Institutional bodies, etc.!

Despite all these efforts, it can be said that the Nigerian NASS is not really closed to the public, in its modes of operation. The citizens still find it difficult to access the NASS complex, access parliamentary information, access legislators, have their opinions count during discussions of critical national issues, have their interests protected in decisions that affect them.

The theory of public participation has it that, for there to be effective governance, there must be maximum citizen participation in governance (Pateman, 1970: p.47).

> Successful utilisation of assets is estimated by the degree to which the administrations conveyed coordinate the inclinations of the residents. It is additionally surveyed by the degree to which resident needs communicated in proposition are reflected in the choices and last administrations gave. It is in this way anticipated through commitment of the residents, governments have better information on the inclinations and subsequently can fluctuate administrations to suit requests (Ebdon and Franklin, 2004).

As parliaments around the world seems to be rapidly adopting practices and technologies, to enable them to be more open, as well as engage more citizens in their activities, the Nigerian NASS is playing a role in this very important openness crusade. However, there is still a

deficiency in these combined efforts. The lacuna is what this work seeks to fill, through a critical review of the ways/means the NASS engage citizens in parliamentary process, with an aim to proposing a more practical approach to engage more citizens in parliamentary process and making the parliament open to the Nigerian public.

> This institutional arrangement assumes that citizens are only called to participate in the political system every four or five years, when elections take place. However, this principle of delegation has been increasingly questioned, particularly recently by the rapidly rising interest for, and experiments with, participatory democracy (Fung and Wright, 2003).

Diverse parliament, such as the NASS, ought to guarantee representativeness and positive management of social diversity. It has the powers to take actions, to address issues of poverty, equitable distribution of resources and economic development, which are often at the root of violent conflicts and instability. With the above truths, a parliament's ability to promote openness and social cohesion depends largely on its inclusive representation of all relevant sectors of the society. Inclusivity can be defined as access to the various arenas of political settlements by all sectors of society... both by participating (directly or indirectly) in decision-making or by having their concerns addressed by the state. Conversely, if certain social groups are denied access to political power they may "mobilize around claims for greater participation in political governance and socio-economic development" (Dudouet, 2012) and the risk of violence or conflict is likely to increase.

The Nigerian public wants to access the NASS as well as access their representatives. The widening gulf between the Parliament and the citizens has become a serious issue of concern. This gulf is suspected to be the cause of the recent calls by some people to scrap the Senate and work with only the House of Representatives, which is perceived to offer more representativeness (because of the structure). Furthermore, there is a perception amongst the

citizens that the legislature is one of the problems Nigeria faces because of its lack of political will and ability, to effectively and efficiently carry out their functions.

**1.3. Research Questions:**

This study thus sought to ascertain the level of openness of the Nigerian National Assembly, the level of public participation, the challenges of open parliaments and provide solutions by making valuable recommendations to be used in strengthening the efficiency of parliamentary committees in the NASS, to promote Parliamentary openness and citizen engagements through providing answers to the following questions:

    i.    What was the level of openness in the NASS (8th Assembly)?

    ii.    What was the level of public participation in Parliamentary Activities?

    iii.    What were the challenges of the NASS (8th Assembly)?

    iv.    What were the practical methods of enhancing openness and public participation in the Parliament?

**1.4. Objectives of the Research:**

The broad objectives of this research was to understand the concept of public engagement for parliamentary representation.

**The specific objectives include:**

1. To ascertain the level of openness in the National Assembly in the 8th Assembly

2. To evaluate the level of Public Participation in Parliamentary activities in the National Assembly during the 8th Assembly.

3. To examine the challenges of the National Assembly during the 8th Assembly.

4. To recommend practical methods of enhancing openness and public participation in the Parliament.

1.5. **Significance of the Study:**

Bearing in mind that openness and public participation in legislative process can lead to higher efficiency and more equitable outcomes, and when people exercise their voice to reveal their preferences over alternative outcomes and policies to achieve them, it not only helps improve allocation efficiency but also creates an opportunity for the weaker and marginalised groups of the society to press for their interest in a way that is seldom possible in the current practice of governance. The same principle applies to the pathways that allow participation to strengthen the Parliament's openness. While helping Parliament to achieve efficiency, openness and participatory mechanisms provide opportunity to the weaker segments of the society to ensure that the duty-bearers cannot get away with policies and practices that are unjust and unfair towards them.

The efforts of parliaments to be more open and engage their citizens more than ever before is paying dividends, and the imaginations of what could be, very promising. This study, amongst other things, will be significant to the public and the legislature in the following areas:

i. Increase legitimacy of parliamentary institutions and building trust and cordial relationships between the parliament and the citizens.

ii. Strengthen citizens' knowledge of the duties of Parliamentary Committees

iii. Enlighten the citizens on the workings of the Parliaments

iv. Educate the public on how their diverse interests could be articulated and communicated to the Parliament.

v. Encourage the parliament and her support institutions on engaging the citizens and introduce practicable methods of modern citizens' engagement in parliamentary activities.

1.6. **Scope of the Study:**

The scope of this work is the NASS, in the capital city of Abuja, wherein the researcher presumed to get the responses of stakeholders in various fields, and more importantly, where those who possesses the institutional knowledge of the (Nigerian) Legislature. Stakeholders were purposively selected from the Media/Press, NASS and the public; all within Abuja. Additionally, the researcher used other relevant resource materials available to him, to acquire information, to enable him carry out this research properly and achieve his objectives.

1.7. **Organization of the Study**

This study was organized into five chapters. Chapter one covered the introductory part of the study, starting from the background to the study as well as the statement of the problem, research question, objectives of research, significance of the study, scope and limitations. Chapter two covers definition of terms, literature review and theoretical framework. Chapter three contains the research methodology. Chapter four contains data presentation, analysis and interpretation, while chapter five will cover conclusions, summary and recommendations from the study.

1.8. **Operational Definition of Terms**

**Public participation**: Active involvement of public in legislative decision-making processes allowing them to contribute to decisions that may have an impact on their lives. The researcher uses public participation, citizen engagement and citizen Involvement interchangeably in this work.

**Legislative committees**: These are small groups or sub-divisions of legislators assigned on temporary or permanent basis during the life-span of a parliament to examine matters more closely than could be done in the plenary.

**Legislative openness**: Involvement of the public in legislative processes and access to the Parliament and the ability of the citizens to access parliamentary materials, resolutions, Bills and motions.

**Legislature**: One of the arms of government, whose major duties are law making, oversight and representation.

# CHAPTER TWO

## LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter discussed related literature, concepts and theories relevant to this topic.

## 2.1 Literature Review

There are opportunities to engage citizens at various stages of the legislative process and these can be coordinated by various actors who are responsible for the process at any given stage. Considering the type of input sought at each stage and the responsibilities of corresponding actors can help determine an appropriate methodology and combination of mechanisms to effectively obtain citizens' input. Vote on a bill, oversight, review of a bill provides the legislature the opportunities to engage the public before arriving to a conclusion and making recommendations or taking actions.

Public engagement goes beyond the publication of parliamentary information and data. Parliamentary websites are an important step in providing better access to parliamentary work, but simply sharing updates is not enough. To arrive at true political participation, parliaments and MPs need to make it as quick and easy as possible for people to share inputs. New technologies offer great and often cheap ways for doing so.

Engagement is a two-way street, and civil society organisations play a major role in helping to shape more inclusive and participative institutions. They can do so by making the most of parliamentary initiatives on offer, but they can also launch independent tools and apps that allow people to stay in touch with parliament's activities and share inputs on law-making.

> "I believe that our democracy will never be complete unless it makes an effort to reach out to those who do not participate in it, and in considering access to it, we cannot overlook the impact of the digital world" - Robert Halfon, MP, United Kingdom

Technology does not need to be expensive. Open-source software is increasingly being used for government information sharing purposes. The Declaration on Parliamentary Openness, officially launched at the World e-Parliament conference in Rome in 2012, emphasizes the importance of using free software that does not render parliament dependent on external providers:

> Parliamentary information shall be released online in open and structured formats that allow citizens to analyse and reuse this information using the full range of technology tools. Parliamentary websites shall seek to use interactive tools to engage citizens and offer alert or mobile services. Parliament shall give preference to the use of non-proprietary formats, and free and open-source software. Parliament has a duty to ensure technological usability of parliamentary information, while guaranteeing the privacy for those accessing the information. (Declaration, 2012).

Committees can focus on inviting citizens to contribute to a specific issue or bill being studied when adopting their agenda. Parliament, through its committee can create opportunities for citizens to contribute at an institutional level (i.e. public hearing, legislature open week, citizen proposals, citizen questions to the plenary or a committee, parliamentary portals, etc.) and create a menu of mechanisms that legislators and committees can apply in their work; parliament can also motion for committees to engage with citizens and allocate resources to support these efforts.

> We think everyone should have a voice in Parliament - not just MPs. In the age of social media there's no excuse why the public shouldn't be more involved in asking questions of those in power who are making decisions which will affect us all. - Stuff. (2015).

Openness Provide full information on, and be responsive with respect to, the purpose, scope, constraints, intended outcomes, processes, timelines, and actual results of participation, in addition to next steps. Chamala (1995) identified efficiency benefits from participation, stating that 'involving stakeholders and empowering community participants in programs at all levels, from local to national, provide a more effective path for solving sustainable resource

management issues'. Participation enhances project effectiveness through community ownership of development efforts and aids decision-making (Kelly and Van Vlaenderen 1995; Kolavalli and Kerr 2002)

Allocation efficiency is measured as the degree to which services provided match citizen preferences and the satisfaction level of citizens with it (Hongo, 2010). According to Franklin, Ho and Ebdon (2009), citizens should be able to access accurate and timely information about operation plans, disposable resources, budgeting requirements, accounts management and other financial indicators. The degree of reliability to access county information is determined by availability of venues/channels at the discretion of the citizens (Fisher, 1993). Such avenues include; public outreach and education, public surveys, budget advisory committees, budget workshops and forums for public/stakeholder deliberations.

Latendresse, (1999) observes that for any meaningful public participation in governance process, the citizens' should be literate in order for them to engage bureaucrats and advance their proposed priorities. Omolo (2011) supports this assertion by stating that the success of meaningful public participation in budgeting process largely depends on the literacy level of the citizens. Accordingly, literacy becomes a determining factor in public participation because illiterate people hardly understand the practical issues of governance. Transparency International (TI) (2014) observes that public participation in parliamentary process can only be effective if the local authority develops policies which allow citizens to access accurate and timely information for decision making. Such information will allow citizens to be involved in all the stages of the legislation. Commonly used mechanisms include public outreach and education, surveys, parliamentary open week, workshops among others (Kahn, 1997). According to Hongo (2010), such public participation forums can be effectively conducted in

town hall meetings, public hearings, hotlines, and direct community involvement, participation in legislation, from drafting to enactment, and monitoring and evaluation.

## 2.1.1. Public Participation through Oversight

Citizen engagement is a means to effective decentralization which in turn improves service delivery by affecting key determinants including allocation efficiency based on citizens' priorities (Kahn, 1997). The mechanism of citizen participation can largely be categorized into vote and voice (Key Jr., 1940). The levels of participation requires institutionalization of both vote and voice mechanisms in decentralized systems, so that the public can have unrestricted access to timely and accurate information, have the freedom of choice to be incorporated into membership of various forums and to be incorporated into advisory committees among others (Kahn, 1997). According to Olum, (2000), citizens' involvement can be undertaken through the following groups or persons; citizen advisory groups, interested individuals, professional bodies and the general business community. Socio-cultural factors can play significant role in shaping both participation and participatory outcomes in the budgeting process. Social exclusionary practices like gender stereotyping, inequality and religious factors among others may undermine participation of certain groups particularly the women in decision-making (Moliehi, 2009). The capacity can be enhanced through acquisition of set skills, knowledge and operational capability. The same sentiments were echoed by Hongo, (2010) who asserts that, awareness without knowledge will not be of much benefit to the public participation process. If anything, it hinders the ability of citizens to effectively participate in governance. Citizens' awareness is one of the driving forces in participation of public governance (Cleveland, 1915). For citizens to actively take part in matters of public governance, they must be politically conscious and have access to information (Thomas and Germano, 2008). This means that they must not only be aware of their rights and

responsibilities but also know the channels through which they can exercise them (Hongo, 2010).

## 2.1.2. Public Engagement through Public Hearing

Public hearings are typically organized as a way to gather public opinions and concerns on political issues before a legislature, agency, or organization makes a decision or takes action. Often, it's a discussion regarding a particular topic that is open to interested parties, including private individuals, that is based on the direct participation of these parties. In other words, the public hearing requires a personal presence and allows for an interactive debate between the participants. This debate is strictly connected with the implementation of public policies and public-good projects within a political organism, i.e. a state or international organisation, and constitutes a way in which a final decision is shaped. Thus, the notion 'public' refers, first, to the fact that numerous subjects may be involved; however, it also usually means disclosure of this procedure to anyone who is interested.

> Both public hearings and public consultations may also be indirectly connected to the formalized process of a law-making decision. Thus, they may involve the gathering of various viewpoints of institutions, NGOs and ordinary people with a view of the construction of a particular policy or of engaging in a specific activity. In addition, they may serve in the evaluation of previous undertakings or decisions by the formulation of questions for public assessment and by soliciting public comment. (Springer, 2016).

Public hearings "are seen to legitimize controversial decisions taken in several important areas of governmental planning activity" (Ray, 1988). According to Fiorino (1990), "Hearings give citizens a chance to contribute to the discussion over decisions made by the officials. Public hearings are thus often called as a way to assert or establish representative legitimacy although this is not always the outcome - especially in cases where the public's opinion is not reflected in the final decision".

Public hearing is then made open to the public, and participants are self-selected individuals as well as the representatives from the government agency or organization. In addition, sometimes experts from fields relevant to the issue will be asked to present information and answer questions.

### 2.1.3. Public Engagement through Other Methods

The public can also participate in parliamentary process through petitions to the Parliament, It can be said that Public Petitions Committee considers all petitions and makes its recommendations to parliament, but very few number of petitions come to parliament. This is primarily because there are other ways by which citizens could make their grievances known or heard. This is facilitated by a small demographic size of Singapore and also for the fact that members of parliament are mandated to personally get involved in constituency functions at least three times in a week including what is called meet the people session in an opportunity to liaise with the electorates very closely and freely to get to feel the pulse of their problems. This development is very unlike the Nigerian parliamentarians who scarcely visit their constituencies.

Woodrow Wilson, former president of the United States when he was an academic: "It is not far from the truth to say that Congress in session is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work" This is to say that Countries without widespread internet usage can turn to mobile phone technology for similar initiatives. In Uganda the 'UsPeak' project helps citizens connect with parliamentarians. The tool allows constituents to share their views and request information on issues from MPs by text message, voicemail or by leaving a message with the UsPeak call center. UsPeak then aggregates the reports and requests by issue, which allows MPs to track the information.

Lawan said:

> The planned open week is a welcome development which would serve as platform
> for the general public to interact with federal legislators at close range towards
> understanding the constitutional functions of the National Assembly, particularly
> as regards constituency projects. The open week would bring to the fore, required
> knowledge about the workings of the National Assembly which are fundamentally
> lawmaking, representation and oversight functions on the workings of all Federal
> Government agencies (Daily Trust, 2018, April 27th).

Inclusiveness Pro-actively use multiple mechanisms to reach out to and provide a safe space for all citizens, including those from traditionally marginalized groups, and voices that are seldom heard, without discrimination on any basis including nationality, race, ethnicity, religion, gender, sexual orientation, disability, age or caste; recognize that different participation channels maybe more appropriate for different stakeholder groups; and consider public inputs objectively and irrespective of their source.

Most national legislatures have committees; the types of committees, their duties, numbers, and their significance vary. Former U.S. Representative James Shannon commented during a 1995 conference on the role of committees in Malawi's legislature that:

> Around the world, there is a trend to move toward more reliance on
> committees to conduct the work of parliament, and the greatest reason for
> this trend is a concern for efficiency. The demands of a modern parliament
> are numerous and it is not possible for the whole house to consider all the
> details necessary for performing the proper function of a legislature (NDI,
> 1995: 16).

At a time when the public perception of Parliament is that they are out of touch, which governments ought to be more responsible, it is broadly held that Parliamentary committees can give a bridge between the Parliament and the individuals, and can moreover offer and viable strategy of audit an examination of government arrangements and enactment. In spite of the fact that parliamentary committees have continuously existed – managing with

such things as parliamentary benefit, the examination of open accounts and survey of enactment in detail – within the final two decade, there has been expanding intrigued in using committees to audit government policy, and to examine and talk about political issues. It is more common practice for such legislative committee to call witnesses. Within the NASS, it has become the practice for committees to travel broadly, looking for prove from the public.

## 2.2. The Concept of Legislative Committees

The Nigerian National Assembly is empowered by section 62(1) of the 1999 constitution (as amended) to create committees for both special and general purposes. A Committee is a small deliberative assembly that is usually intended to remain subordinate to the larger deliberative assembly which is established for a specific purpose, and at times, for a specific period According to Timothy (1997), committee is a miniature representation of the parent organization. Dogara (2015) agreed with him that parliamentary committee is a subdivision of the Legislative assembly, appointed to scrutinize pending legislations or to carry out investigations as may be directed by the parent assembly. In his own view, he further sees parliamentary committees as a miniature model of the entire assembly like the house itself is representative of the people.

The Oxford Advanced Learner's Dictionary defines a Committee as group of people, who are chosen, usually by a larger group, to make decisions, or deal with a particular subject. A Committee is also described as a group of persons convened for the accomplishment of some specific purpose, typically with formal protocols. It is also said to be a subunit of a political or deliberative body established in a permanent or temporary fashion to aid the parent assembly in accomplishing its duties. (Oxford University Press 2008).

According to NILS and NSNL (2015), committees are small groups or sub-divisions of legislators assigned on temporary or permanent basis during the life-span of a parliament to

examine matters more closely than could be done in the plenary. The freedictionary.com defines Committee as a group of people who represent a larger group or organization and who make decisions or plans on behalf of that group or organization. Similarly, the Duhaime's Law Dictionary defines committee as "a term of parliamentary law which refers to a body of one or more persons appointed by a larger assembly or society to consider, investigate and/or take action on certain specific matters". By these definitions, we can see that the committees are part of the whole House where most part of the work of the parliament is carried out. Due to the high volume and complexity of work, parliament divides itself into committees to spread the workload. The committees are where the actions of the parliaments are felt. They can best be described as the engine room of the parliament where most of the works like Bill scrutiny, hearings investigations, oversight activities, etc. are carried out. Committees, especially the standing or permanent committees are created along specific policy area of government.

## 2.3. Types of Legislative Committees

According to National Institute for Legislative Studies and National Secretariat for Nigerian Legislation (2015). There are seven (7) types of committees namely: special committees, standing committees, joint committees, conference committee, ad-hoc committee, committee of supply and committee of the whole.

### 2.3.1. Special Committees

Special Committees are normally appointed and established according to the provisions of then Standing Orders of the legislative chamber. They have specific terms of reference to treat specific issues which have major public concern and operate throughout the life span of the assembly that appointed them. For instance, committee on selection, senate/house services committee, committee on rules and business, committee on public accounts, committee on

ethics and privileges, committee on media and publicity, committee on public petition, committee on security and intelligence are all special committees.

### 2.3.2. **Standing Committee**

Standing Committees are established by the Standing Orders of both chambers of the National Assembly and some more may be created and existing ones may be dissolved through amendment of the Standing Order while some can last the entire term of Parliament.

### 2.3.3. **Joint Committee**

According to National Institute for Legislative Studies and National Secretariat for Nigerian Legislation (2015), a Joint Committee of the Senate and House of Representatives is made up of selected members of both chambers who are mandated to meet and approve legislative decision for and on behalf of the two chambers at a joint sitting. It could also be a committee whose assignment cuts across the jurisdiction of more than one committee in a given House.

### 2.3.4. **Conference Committee**

Conference Committee: Conference committees are constituted to harmonize differences arising from legislation or other matters passed by both chambers of the legislature Standing Committees. The Standing Committees are established under the provisions of the Standing Orders of the National Assembly and they may be seasonal in nature, in that their life terminates at the end of a Session of Parliament. A Session means the Surfing of the parliament commencing when the Assembly first met after its promulgation or dissolution and terminating when the National Assembly is prorogued or is dissolved.

### 2.3.5. **Ad-Hoc Committee**

Ad-hoc Committees are established for specific purposes assignment and their terms of reference, composition and time frame for reporting clearly agreed upon at the time of appointment. According to National Institute for Legislative Studies and National Secretariat for Nigerian Legislation (2015), the life of an Ad-hoc Committee commences on the date of appointment and expires on the date it presents its report to the plenary. Ad-hoc Committees are appointed by a resolution of the House as and when a need arises, to investigate a specific matter of interest to the public or Parliament.

### 2.3.6. **Committee of Supply**

Committee of Supply: This refers to the committee of the whole House where a report of the standing committee on appropriation in respect of the annual appropriation bill is considered.

### 2.3.7. **Committee of the Whole**

The committee of the whole consists of the entire members of the legislature both in the Senate and House of Representatives. Whereas in the House of Representatives, the committee is chaired by the deputy Speaker; In the Senate, it is chaired by the President of the Senate. The resolution to go into the committee of the whole is usually taken and Government departments or ministries. The jurisdictions of these Committees are defined by the subject matter, which tends to parallel the structure of Government Ministries Departments and Agencies (MDAS). Their mandate is limited to the specific MDAS which fall under their jurisdiction. However, the functions of the Committees are very wide with respect to the MDAs under them in that they may investigate, Inquire into and report on all matters relating to the

respective MDAS. They participate in initiating new policy guidelines and new legislative proposals in addition to scrutinizing those whose subject matter falls under them.

## 2.4. Functions of Legislative Committees

The Committees of the National Assembly of Nigeria play very important yet very complex role in carrying out the oversight functions of Parliament. This is because they are like auditors appointed by the public to examine the use by the Government and its MDAs of public funds appropriated and examine investments made by public funds. The role of these Committees is even more important in Nigeria since the Government, apart from regulating business, participates in business ventures and has invested heavily in both the goods and services sectors.

Each branch of the national assembly meets in plenary session or through one of its committees. It would be unimaginable to conceive a situation where all the legislative proposals, reports from the oversights, etc. of the National Assembly are considered in plenary sessions. The size of the Assembly of which good proportion would want to participate in any discussion before the House would render this impracticable. As a result, the Assembly has been characterized by a stable system of committees with fixed functions and jurisdiction. Each House may appoint a committee of its members for such special or general purpose as in its opinion would be better regulated and managed by means of such a committee, and may by resolution regulation or otherwise, delegate any functions exercisable by its power to decide whether a Bill shall be passed into law or to pass a resolution on any other matter. (Section 62 of the 1999 Constitution)

i.   Committees allow the legislature to spread their numerous legislative business simultaneously and perform functions that otherwise might not be conducted at all. These matters include:

detailed review of proposed legislation; oversight of executive branch activities; examination of and reporting on policy issues; and special investigations.

ii.  Committee proceedings operate under less formal rules of procedure than those that govern the entire legislature (plenary or floor proceedings). Committee members are able to discuss informally and to develop relationships with committee colleagues who represent other parties. That creates a collegial environment in which compromises on small matters and technical improvements in legislation can be agreed upon expeditiously.

iii.  Committee members become authorities and experts on matters within the jurisdiction of their committees and are acknowledged as such by their legislative colleagues, the press and the public.

iv.  Committees that conduct public hearings provide an opportunity for academic, business and nongovernmental experts to present their views. There are two types of hearings: hearings that review the executive's implementation of previously enacted laws (oversight) and hearings that discuss and review draft legislation. In either case, outside experts contribute valuable information and guidance to committee deliberations. They can also provide important authoritative support for committee proposals and decisions (NDI, 1996).

## 2.5.  Committee System in Other Countries

A look at Committee system as it operates in other climes around the world will further buttress the point that Committees are the windows through which the public see the legislature and participate in parliamentary activities. We have looked at countries such as Greece, Germany, Brazil, Singapore, and United Kingdom. The purpose of the same spread is to be able to appreciate the dynamic and intricacies of governmental practices as it relates to legislative committee practices as obtains in these advanced economies other than Nigeria. Their study has helped the researcher build adequate appreciation and insights into the geo-politics of other terrain.

Committee System in Singapore: Unlike the House of Commons in the United Kingdom which operates membership of up to 600 parliamentarians, the system in Singapore is quite smaller. The Report of the Commonwealth Parliamentary Association Group has it that the Singapore parliament obviously does not have regional committees such as those obtained in other parts of Europe like Britain. Thus, the largest committee in Singapore is the whole House sitting in Committee. Until recent years, there were only select Committees excluding the Committee of the Whole House (Barnhart, 1999). For example, the Standing Orders provides for the Selection, Public Accounts, Estimates, Privilege Standing Orders, House and Public Committees function, like those of Britain, is to deliberate on quasi-judicial matters and their membership ranges from eight to ten members. In addition to these Standing Committees, Standing Orders also provide for the establishment select committees of about the same number of members According to Barnhart, these Committees are set up for scrutinizing Bills after the Second Reading and for ad hoc purposes. It is on record that for example, the eight members Select Committee on the Copyright Bill sat for eight days in 1986 to hear representations and obtain inputs before recommending the copyright code. Again, a certain 10-member Select Committee was set up to enquire into the cost of health care system in Singapore in recent times. There are also other committees formed by enabling laws within the jurisdiction of government policies. Under the constitution, the Committee of Selection will appoint members to a committee for the purpose of nominating membership in parliament. The ruling People's Action Party (PAP) has also formed the government parliamentary committees with specific purposes and functions. One of these committees is the Public Accounts Committee whose responsibility is to scrutinize public expenditure to ensure proper use of public funds. The second is the Estimates Committee which performs almost similar role with the Public Accounts. There is also Standing Orders Committee whose function is the view of Standing Orders from time to time. The House Committee, just like those of the National Assembly in

Nigeria, considers and advises the Speaker on the comforted convenience of members of Parliament.

A Daily Trust newspaper report (2013) has it that several members of the public had to even beg their Senators to come down to their constituencies and see their ordeals for once to no avail. Several constituency projects in Nigeria are either literally abandoned or unattended to by elected representatives. It is on record that most Senators/ Members of the House of Representatives pay lip service to critical infrastructures that could have greater impact on the general well-being of the people.

2.6.    **Public Engagement Platforms in Other Countries**

You don't need to look far for inspiring ICT initiatives.  Platforms that promote a dialogue between citizens and parliamentarians are increasingly successful, and are having a growing impact on law making and parliamentary work:

i.    **GREECE** – Greece's Vouliwatch, launched in March 2014, is a digital platform through which Greek citizens can engage with their MPs. It offers people the opportunity to communicate, evaluate and hold elected representatives in the Greek and the European Parliaments accountable. The platform allows people to put questions to MPs and MEPs, keep track of legislative initiatives, and debate and discuss bills.  It also offers citizens the opportunity to submit proposals to MPs.

ii.    **GERMANY** – Germany's Parliament Watch runs the www.abgeordnetenwatch.de platforms, where citizens find short profiles of their representatives in the federal and European parliaments.  They can ask those elected officials public questions and receive public answers online. As host and impartial moderator, Parliament Watch checks all questions and ensures civil conduct and respect for privacy. The platform has about 300.000 people visits every month; it has received 31.643 questions and shared 26.658 answers.

iii. **BRAZIL** – Brazil's e-Democracia platform offers simple web 2.0 tools that connect citizens with lawmakers on specific issues. Citizens can use the portal and social media networks to engage Members of Congress, mark-up legislation, and propose and debate solutions to policy problems. The platform has facilitated cross-country dialogue among disparate groups and has thousands of active users. It even allows citizens to draft legislation through the wikilegis tool. Finally, the platform maps edits made to legislation, visualising the evolution and current status of a bill.

iv. **UNITED KINGDOM** - The UK-based NGO mySociety launched the WhatDoTheyKnow and Alaveteli platforms. The first allows citizens to ask questions to public local or national authorities, basing their claims on the British Freedom of Information Act. It targets the House of Commons and the House of Lords, as well as local UK parliaments. The Alaveteli platform is a means by which local actors in different countries can replicate the WhatDoTheyKnow initiative. Similar platforms have been created in Uruguay, Croatia, Spain, Albania, Bosnia and Herzegovina, the Czech Republic, Hungary, New Zealand and Australia, among others.

2.7. **Public Participation Platforms in the Nigerian National Assembly (Committees)**

The Committee System operated by the National Assembly enables efficiency in law making. At the same time, committees are used by Parliaments to involve/ engage the citizens of the states. Section 62(1&2) of the 1999 Constitution empowers the National Assembly to establish Committees, for such specific or general purpose and may delegate any functions exercisable by it to any of such Committee.

i. **Public Hearing**

Members of the public play a role in law-making. The public hearing forum avails legislators the benefit of the views and inputs of the public who may be experts in certain fields.

It affords legislators the opportunity to obtain valuable information that may be helpful in policy and law-making. The imperative is for legislators to creatively find new and better ways of effectively representing the people, hence the need for a bottom up approach to representation in order to perceive voter opinion more accurately rather than a top-down representation that is more dictatorial.

Supplement to meeting the citizens' expectations that their views be considered at this stage engaging the citizens in parliamentary activities also contributes to:

a) Strong corporate intelligence that provides a better analysis of potential impingement and broader range of considerations throughout the legislative process, for overall high quality outcomes,

b) Increase trust and confidence of the citizens in parliament and parliamentarians,

c) Fortified legitimacy of, and co-responsibility for decisions and actions,

d) Improved understanding of the constitutional role of the parliament and parliamentarians among the citizens,

e) Chance for citizens to communicate their legitimate interests,

f) More accountable and transparent parliament, etc.

ii. **Oversight**

Oversight explores the impact of existing laws and oversees the actions of the Executive. Responsible actors: Legislators in plenary during question period, questioning and scrutinizing executive appointees, Committees monitoring the implementation of legislation and government policy, and investigating certain issues, particularly public accounts. Possible citizen engagement at this stage: open-ended dialogue on the implementation of government policy and/or input on the implementation of specific government policy or as part of an investigation of a specific case.

Law-making and the processes adopted ought to be in consonance with the preferences of the constituents, and oversight function which invariably provides accountability and transparency in governance; allowing constituents through the legislature to monitor governmental activities and know if their wishes are being carried out or not.

## 2.8. Challenges of Parliamentary Committees

The Committee System Is an Essential part of the organization of the legislature. The composition of the committees reflects as far as possible the strength of the political parties in National Assembly and all the parties are represented in the committees. However, Committees of the National Assembly are plagued by numerous challenges that stand in the way of their efficiency and professional output.

The high level of legislative turnover in the National Assembly since 1999 is also worrying. In the words of Hamalai et al (2017) the trend in the 2015 NASS election where more than 70 and 250 members of the National Assembly were not re-elected into the Senate and House of Representatives respectively (i.e. 62% turnover rate and 69.5%) shows very low re-election rates and a high legislative turnover. Dogara (2017) attributed this to reasons including "godfatherism" and the clamour for rotational representation at the expense of quality legislation. For instance, people who have acquired some dominance in politics often influence the selection process picking candidates they prefer that satisfy their own personal interests. In other cases, it is based on a local arrangement or consensus so that a constituency consisting of 2 or 3 Local Governments for example can take turns to be represented at the National Assembly. Nonetheless, the high turnover of legislators is an issue that is being discussed across board, since so many factors are responsible due to Nigeria's peculiar practice of democracy.

**Major Problems of the Legislative Committee System in Nigeria:** The operation of the Committee system in Nigeria is not without its problems. From the twilight of the emergence of democracy in Nigeria since 1999, both the Senate and the House of Representatives have had a fair share of these problems; some of which are enumerated below.

i. **Poor funding**: The Committees are under-funded. Monies appropriated for the committees are not enough to facilitate its conduct of official legislative business. In most in stances, committees are not allocated sufficient funds to meet the legislative needs at the committee levels. This seriously impinges on committees' performance. The committees are supposed to be properly funded because of the various critical roles they play. The committees should not be found wanting in the discharge of their duties due to inadequate funding.

ii. **Inadequate working materials**: The committees lack basic infrastructures and working materials. These include Internet services, working equipment, and so on, and this makes collection of data difficult. Modern working materials will enhance efficiency and productivity as well as create an enabling environment for legislative committees. The committees lack research personnel and library facilities necessary for unearthing relevant data for legislation. As the hub of the legislative system committees are supposed to be equipped with libraries containing the basic literature and reference materials, and other related legislations from other Assemblies to guide the course of their work. Research resources must be availed to Parliamentary Committees and parliamentary library with access to Internet facilities or e-library is a necessary requirement.

iii. **Insufficient Office Space**: The problem of office space in terms of numbers and adequacy has remained challenging in spite of relative improvement in its provisions. A large number of Committee Secretaries and their support staff do not have offices.

Routine office work is conducted in crowded rooms meant for Committee meetings. The result is that these officers are chased out whenever the rooms are needed for Committee meetings.

iv. **Lack of Relevant Expertise**: PARP Report (2010) also shows that problems of the Committee system in Nigerian include lack of relevant expertise among Committee Clerks and the inability of Committees to retain their clerks for long periods as is common in advanced democracies of the world. It is also common place that most Committee members do not last more than four years in Nigeria. The situation is different in democracies like the United States of America where Committee Clerks serve for an upward of 30 years or more. This will allow adequate room for on-the-job training and one can be sure to acquire all the necessary skills in the course of time.

v. **Multiple memberships of Standing Committees**: Placement of members in several Committees stifles effective participation in the activities of the Committee and impinges on their performance.

vi. **Increase in the number of Committees**: There has been conflict of duties arising from increase in the number of Committees. Inexplicit delineation of jurisdiction or the scope of activities of some Committees has resulted in overlap and sometimes apparent duplication of functions & Uncooperative Attitude of Government officials Reluctance of some government officials to provide reliant information needed for the smooth performance of committee functions Graduate Logistics Logistic problems arising from unavailability of research materials and functional internet facilities to enhance smooth operations of the Committees Inadequate capacity building programmes Lack of training workshops and exposure for member of the Committees and the secretarial staff, which has made it difficult for members and staff to keep abreast of recent developments and issues bordering on legislative practices and procedures.

2.9.    **Major Challenges of Open Parliament**

i.    Legislation often takes a very long time and citizens become bored and subsequently uninterested in the process.

ii.    People often speak from the standpoint of political party, instead of the central national interest and that makes it difficult for the Committee to reach consensus.

iii.    People do not get enough advance notice that a hearing is being held or that their views can be expressed through some other mechanism.

iv.    Hearings are being held in the capital or in the big cities only, and most people can't get to them.

v.    People can't afford the transport and the economically 'non-productive' time to go and participate in a public hearing or a focus group.

vi.    The timing for the public consultation is not convenient for many people: they are at work or it coincides with a time of the day that is typically very busy in the household;

vii.    The language in which the issue to be discussed is too complex – people have difficulty understanding what precisely is being asked.

viii.    No local languages are used – many people do not have enough fluency in the 'national language' in which the conversation is taking place.

2.10 **The Gaps in Literature Reviewed**

Open parliaments aim to address the widening gap between the parliament and its citizens by enhancing citizen participation and engagement in parliamentary processes. The benefits of parliamentary openness are multiple. Opening parliament can create effective outcomes in key policy areas, such as health or education as increased contribution of citizens

in legislation, oversight and budget processes on key issues leads to better quality legislation. It can improve the efficiency of parliament as citizens monitor and participate in parliamentary processes. Parliamentary openness can challenge the parliament to consider reforms that take into account citizen's expectations and improve the overall trust relationship between citizens and the parliament. Ultimately this all helps improve the transparency and accountability of the institution.

White (1981) identified a number of beneficial reasons for public participation: with participation, more will be accomplished, and services can be provided more cheaply. Participation: has an intrinsic value for participants; is a catalyst for further development; encourages a sense of responsibility; guarantees that a felt need is involved; ensures things are done the right way; uses valuable indigenous knowledge; frees people from dependence on others' skills; and makes people more conscious of the causes of their poverty and what they can do about it.

Literatures reviewed has concentrated on either the need or importance of public participation in Parliamentary process. Recognizing the need and importance of public participation in Parliamentary process, this research was to determine if the Parliament is open, to enable the public to participate. Emphasis was made on both the need and importance and that enabled the research conduct a multi-dimensional study; to expose whether the Parliament is actually open for public participation. Whilst appreciating that the actual participation has a bearing on the quality of legislation. Despite the unanimity of the benefits of public participation as espoused by many scholars, there has been little or no 'actual' openness in NASS. This study will illuminate the level of openness, the level of public participation, and challenges of openness, etc.! With the intention of providing practicable solutions.

## 2.11 Theoretical Framework

The theory that anchored this study is that of participatory democracy. Public participation can be traced to advancement in democracy since the end of the Cold War. The quality has however been questioned with the mere participation in elections by the citizenry adjudged inadequate. This crisis of democracy since the 19 1990's has seen the need to engage the public in decision making. Cooper et al (1995) argued that traditional representative democracy has become dysfunctional and unable to adequately respond to declining public participation in political processes. Indeed, democracy without public participation makes it meaningless. Solutions to the above crisis have emerged and developed into several theoretical perspectives.

Participation theory represents a move from the global, aspatial and top-down strategies that dominated early development initiatives to more locally sensitive methodologies. Although there are differing opinions in the literature as to the origins of participation theory there is consensus that it stems from political sciences and development theory. The importance of participation grew out of the recognition that the worlds' poor have actually suffered as a result of development, and that everyone needs to be involved in development decisions, implementation and benefits.

There is no commonly agreed definition of participation this vagueness and lack of conceptualisation of the concepts of participation and empowerment cause confusion over expectations and over the evaluation of outcomes of the participatory development process. It is agreed that participation is about decision making. "Parliament and civil society cannot be put at the same level in realizing the principle of budget openness because unlike Parliament,

civil society is not accountable to the people. We are partners but some people are supposed to make the decisions and take the fall for the wrong decisions they make," (New Vision 2017).

Despite some authors contesting that participation makes no difference, the importance of community participation is well established in the literature. Chamala (1995) identified efficiency benefits from participation, stating that 'involving stakeholders and empowering community participants in programs at all levels, from local to national, provide a more effective path for solving sustainable resource management issues'. Participation enhances project effectiveness through community ownership of development efforts and aids decision-making (Kelly and Van Vlaenderen 1995; Kolavalli and Kerr 2002).

Gow and Vansant (1983) identified four affirmations that summarize the importance of participation in development: People organize best around problems they consider most important, Local people tend to make better economic decisions and judgments in the context of their own environment and circumstances, Voluntary provision of labour, time, money and materials to a project is a necessary condition for breaking patterns of dependency and passivity, The local control over the amount, quality and benefits of development activities helps make the process self-sustaining (cited in (Botchway 2001) page 136).

Curry (1993:33) identifies that 'policies that are sensitive to local circumstances will not only be more effective in taking the uniqueness of local social structure, economy, environmental, and culture into account, but also, through the involvement of the local community, will be more likely to be successful in their implementation. Communities that have a say in the development of policies for their locality are much more likely to be enthusiastic about their implementation' (Curry, 1993: 33 cited in (Storey 1999) page 308).

Pateman (1970) described the theory of participatory democracy first as the capacities and skills of the public being interrelated with bureaucratic structures through participation.

Bureaucracies then are not just abstract institutions but must prioritize the needs of the citizenry in their functions. With the opaque form that bureaucracies usually tend to take, participation is a constant check on these processes through democratization.

Political processes can only be truly inclusive if citizens are in a position to take part. Organising public hearings or opening up plenary sessions is a good step, but such initiatives can only go so far when the majority of citizens are not able to attend them. Practical problems of distance, time and cost often keep people from physically making their way to the relevant chamber(s).

Gaventa (2007) espoused deliberative democracy as going beyond the simple set of rules, procedures and institutional designs like elections, to deeper control over decisions in a variety of fora. Legitimation is obtained through a representative Parliament as well as the public sphere. Participants seek acceptability of decisions, not just acceptability for the sake of it. The public should be concerned with the quality of dialogue by creating a rational basis for constructing ends and means in a democratic society.

# CHAPTER THREE

# RESEARCH METHODOLOGY

This chapter addressed the research methodology in conducting this study. It covered Research design, population of the study, sample size, sampling method, instruments of data collection, techniques of data analyses and presentation.

## 3.1. Research Design

The study adopted survey research design and made use of interview instrument to obtain primary information for the study. Also secondary data were sourced from relevant and related literature, text books, and reports from relevant committees of the House, Internet, journal and conference/ seminar articles. The following qualitative data collection methods were also utilized.

i. **Documents examination**: The researcher examined committee reports and other pieces of information supplied by the Clerks of select House Committees, to analyse the level of openness in NASS. Literature was of enormous contribution to this work. Journal articles, textbooks, etc. were consulted in the course of this study.

ii. **Interview**: The researcher exploited his contacts to converse with key Stakeholders (NASS, the Public, and the Press). The researcher's presumption of the interviewees' knowledge of the legislature was the major factor in choosing them. This is because they are presumed to have sufficient knowledge of the workings of the legislature.

## 3.2. Population of the Study

The targeted population of the study were the: **National Assembly, the Press and Public Stakeholders**. The choice of this population was deliberate because the study desires key informants.

## 3.3. Sampling Procedure

This means the process of selecting individual or elements for a study. The sampling technique that would be used was the expert sampling technique. Etikan, Musa and Alkassim (2015) added that the expert sampling calls for experts in a particular field to be subjects of purposive sampling. Therefore, purposive sampling technique was deployed in this study. The method was selected to detect willing persons who provided reliable data.

## 3.4. Sample Size

The sample is the elements making up the population that is actually studied and a generalization made on the population. However, Bertaux (1981) averred that for all qualitative researches, fifteen is the smallest acceptable sample size. This he argued would avoid the saturation of data, which is the case when data becomes repetitive (a seeming norm with qualitative researches). On this note, Sandelowski (1995) alluded that sample size in qualitative researches is generally a subjective judgment. Therefore, a total of eighty (80) respondents were selected and interviewed through purposive sampling method. The respondents to this study are captured in the table below:

**Table 3.1: Sample Size**

| S/N | Respondents | Sample Size |
|-----|-------------|-------------|
| 1 | Media/Press | 30 |
| 2 | National Assembly Staff | 20 |
| 3 | Public | 30 |
| 4 | Total | 80 |

Source: Field Survey (2019)

## 3.5. Instrument of Data Collection

Public and NASS stakeholders, and the Press/Media were interviewed to gather primary data because the target interviewees are presumed to have good knowledge of the subject-matter. The interview questions addressed each of the four core objectives (research questions) of this study. There was interplay of primary and secondary data in the course of this study. While stakeholders' Interview was the instrument used as the sources of primary data, *Declaration of Parliamentary Openness* and few other literatures were used as secondary data.

## 3.6. Data Analyses and Presentation

In the course of this study, the Researcher deployed the assistance of one (1) Research Assistant in carrying out the interview in the National Assembly, and interviewing Stakeholders, and the Press.

3.7. **Techniques of Data Analysis**

The study adopted quantitative and qualitative approach to analyse the data collected and used the following instrument to analysing the data:

a. **Frequency distribution**: This means counting the number (quantity) of respondents that supplied similar answers to questions. For instance, sum up the number of respondents who confirmed that the level of openness in NASS is low.

b. **Collation of Respondents' views**: interpret the respondents' qualitative or textual data provided in the interview such as: challenges facing the legislature in running an open and citizen engaging Parliament in Nigeria, recommendations on how to improve the level of openness in National Assembly. Scholars' views expressed in the Journals and other documents were analyzed with both qualitative and quantitative methods.

3.8. **How to Achieve the Four Specific Objectives:**

This study used objective by objective approach to discuss the methodology. Each objective and how it was achieved is discussed below.

3.8.1. **Objective 1: To ascertain the level of openness in the National Assembly.**

In objective one, the study ascertained the level of openness in the National Assembly. It adopted the declaration of parliamentary openness model. In this regard, the study compared the data on the following variables with international standards. The variables included the following: promoting a culture of openness; making parliamentary information transparent, easing access to parliamentary information, enabling electronic communication of parliamentary information, etc! The study obtained quantitative and qualitative data by interviewing key stakeholders in NASS, the Press and the public stakeholders. Respondents' opinions were collated and they formed the study data, used to answer the research question

number 1. The researcher examined the level of openness in NASS, by juxtaposing the ideal situation with the real situation, using the obtained data from various respondents. The researcher provided brief summary of respondents' capitulations and views. The study model provides that the Parliament should be open. The Parliament represents the people (through their elected representatives). Every Parliament is expected to be open to the public, make parliamentary materials accessible, engage the public all the times, so as to be efficient in ranking priorities. The ideal Parliament is the one that possesses all the unique qualities mentioned above.

### 3.8.2 **Objective 2: To Evaluate the Level of Public Participation in Parliamentary Activities**

In objective two, the study evaluated the level of public participation in Parliamentary activities. It adopted the **declaration of parliamentary openness** model. "The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action." The Centre for Liberal Strategies (CLS) states "Given the fact that often the fate of legislation is decided at the committee stage, transparency of committee meetings (which is a generally neglected area) should be turned into a priority issue." In this regard, the study evaluated the data, using the **declaration of parliamentary openness** as a guide. The variables included the following: public hearings, accessibility of parliamentary information, public enlightenment programs, Constituency outreaches, Oversight etc. These variables were placed side by side, against the international standards on parliamentary openness. However, this does not in any way downplay the efforts already put in place by NASS and parliamentary support institutions, to make NASS more open and engaging. It, therefore, established that there are other means through which openness and public participation can be enhanced. This is very true when one

juxtapose the ideal situation and the reality; as well as the role of parliamentary committees play in enhancing openness and public participation. Going by the number of public hearings held, public enlightenment programs, Outreaches, Oversight etc. it became very obvious that the Parliament will only be open when committees exploit every means available to play their roles very well.

### 3.8.3 **Objective 3: To examine the challenges of Parliamentary Committees.**

In objective three, the study examined various challenges Parliaments face in running an open and participatory Parliament. The study adopted the First Global Parliamentary Report which indicated that Parliaments had sought new ways to reach out to citizens and engage them in parliamentary work; parliaments are often ill-equipped financially or technically to undertake these duties effectively. In this regard, the study used the data obtained from interviewing key stakeholders in and outside the Parliament as a means to achieve this objective. The various opinions proffered by the respondents were compared with submissions made by scholars in the literature in order to test their validity. The study model provides that despite the efforts being made by Parliaments, there remain challenges hindering it from attaining the level of the ideal. There are issues of poor funding, executive influence, corruption, etc. The study was established that parliamentary committees are the windows through which the parliament will be more open and engaging. And until the committees overcome their challenges (as listed by key stakeholders), the Parliament will continue to remain closed to the public (in Nigeria).

### 3.8.4 <u>Objective 4</u>: To recommend practical methods of enhancing openness and public participation.

In objective four, the study recommended practical methods of enhancing openness and public participation. It adopted the First Global Parliamentary Report which indicated that Parliaments had sought new ways to reach out to citizens and engage them in parliamentary work; parliaments are often ill-equipped financially or technically to undertake these duties effectively. In this regard, interview responses of Key stakeholders in NASS, Press, and Public formed the study data. Respondents' views were gathered, interpreted, and summarized concisely. Also, collated experts' positions were reviewed, alongside the provisions of the study module. The declaration of parliamentary openness, as the study model proposes that every Parliament should be open; its information accessible to the public and the public participate in all her activities. The efforts of the NASS towards openness taken into account, the recommendations made here are geared towards enhancing openness and public participation in the Nigeria National Assembly.

This chapter discussed the data obtained from the field and present discussions based on stated objectives in chapter One. The 80 questionnaires administered were returned completely filled. The discussion was done based on the objectives stated in chapter one. The table below presents the summary of questionnaires.

**Table 4.1: Summary of Questionnaire**

| SN | Respondents | No. Administered | No. Returned | No. Not Returned | Percentage Returned | %Not Returned |
|---|---|---|---|---|---|---|
| 1. | Media/Press | 30 | 30 | -- | 100% | -- |
| 2. | National Assembly Staff | 20 | 20 | -- | 100% | -- |
| 3. | Public | 30 | 30 | -- | 100% | -- |
| 4. | Total | 80 | 80 | -- | 100% | -- |

Source: Field Survey (2020)

4.2. **Research Findings**

This section discussed (objective by objective) field data according to the objectives stated in section 1.3.

**4.2.1. The level of openness in the Nigerian National Assembly (NASS)**

It is a proven fact that every citizen regardless of his or her social, political, economic, education and ethno-religious background has the right to obtain information, as defines under Section 1 (1) of the Freedom of Information (FOI) Act, 2011, which states: "No matter what any other Law or regulation says, everyone has the right to get or ask for information, whether

or not the information is in written form, that is under the control of any public officer, civil servant, government agency or institution of any kind".

In his inaugural speech, as the Speaker of the House of Representatives, Rt. Hon. Yakubu Dogara said;

> The legislature's contributions to Nigerian's democracy remain critical and important. The 8th House of Representatives will assert its role in providing leadership in the areas of accountable and transparent government, citizen's engagement, as well as constituency representation.
>
> The 8th House of Representatives, as a people's Parliament, will be sensitive to public demands for transparency and accountability not just by the House of Representatives but also by government at all levels. Our legislative actions would therefore seek to build public confidence and trust and be responsive to citizen's questions regarding the conduct of legislative business. The House will work for public good and serve as the institution that defends the right of the people to an accountable and transparent government (Dogara Yakubu, 2015).

The Declaration of Parliamentary Openness issued in 2012 at the e-world Parliament Conference adopted by Commonwealth Parliamentary Association (CPA) revealed that legislative information belongs to the public; and could be reused or republished by citizens with any limited restrictions narrowly defined by law. This could enable a culture of legislative openness that ensures inclusive citizen participation and a free civil society. It could enable effective legislative oversight that vigorously protects these rights of citizens.
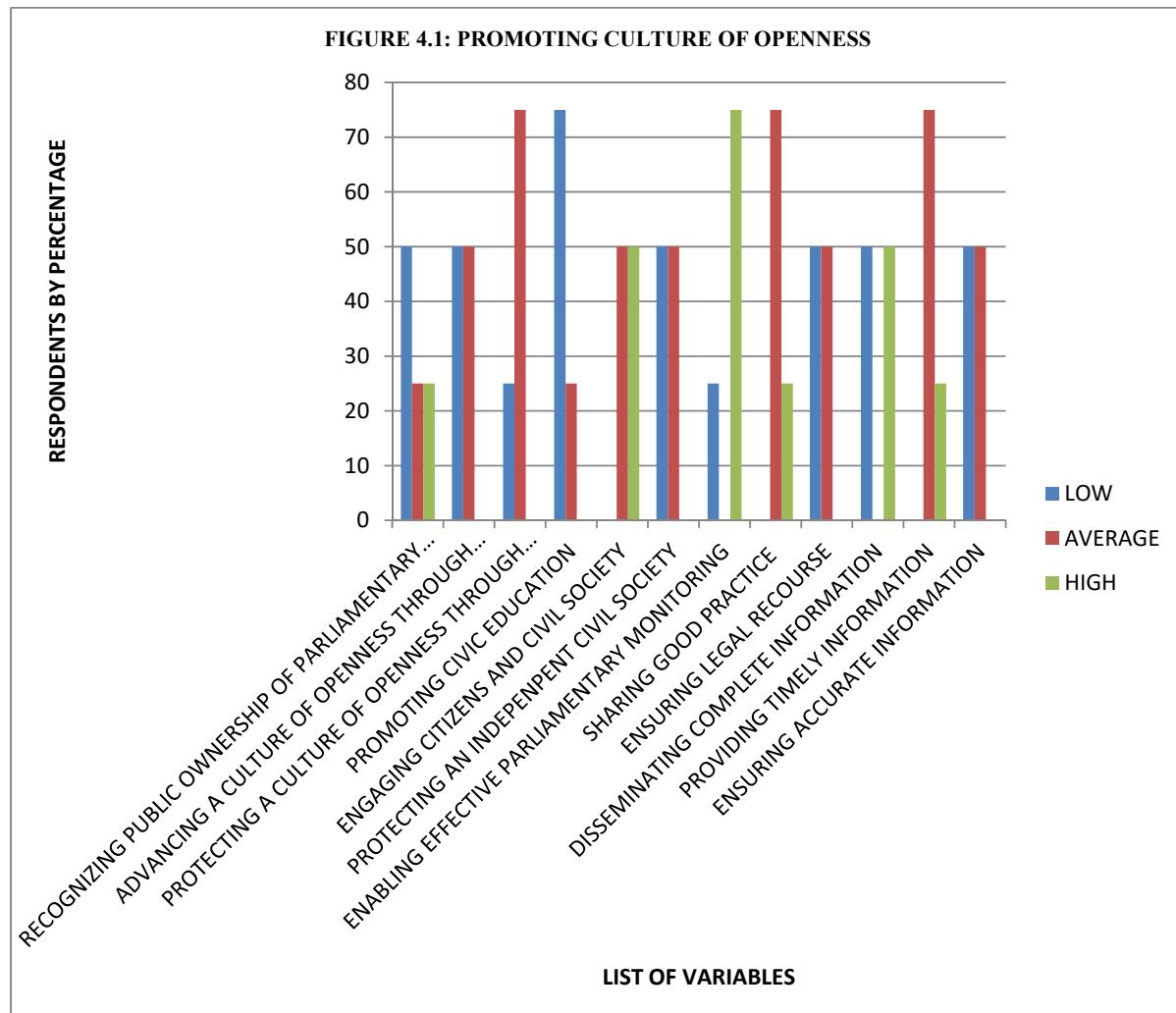
Having an open legislature helps the legislators adapt to social and technological changes, respond to citizen demands and stay close to the constituents. Through open assembly, a legislature provides more information and expands citizen participation in a deliberate and meaningful way that makes it more effective in delivering democratic dividend to the electorate.

**Table 4.2:** Promoting a Culture of Openness

| S/N | List of Variables | Proportion of Respondents (%) | | | |
|---|---|---|---|---|---|
| **a.** | **Promoting a Culture of Openness** | **Low** | **Average** | **High** | **Total %** |
| 1. | Recognizing Public Ownership of Parliamentary Information | 50 | 25 | 25 | 100 |
| 2. | Advancing a Culture of Openness through Legislation | 50 | 50 | -- | 100 |
| 3. | Protecting a Culture of Openness through Oversight | 25 | 75 | -- | 100 |
| 4. | Promoting Civic Education | 75 | 25 | -- | 100 |
| 5. | Engaging Citizens and Civil Society | -- | 50 | 50 | 100 |
| 6. | Protecting an Independent Civil Society | 50 | 50 | -- | 100 |
| 7. | Enabling Effective Parliamentary Monitoring | 25 | -- | 75 | 100 |
| 8. | Sharing Good Practice | -- | 75 | 25 | 100 |
| 9. | Ensuring Legal Recourse | 50 | 50 | -- | 100 |
| 10 | Disseminating Complete Information | 50 | -- | 50 | 100 |
| 11 | Providing Timely Information | -- | 75 | 25 | 100 |
| 12 | Ensuring Accurate Information | 50 | 50 | -- | 100 |

Source: Field Survey (2019)

The charts below shows the views expressed by respondents on openness level; specifically, the areas covered by the '*Promoting a Culture of Openness*' theme.

**FIGURE 4.1: PROMOTING CULTURE OF OPENNESS**



Source: Field Study (2019).

The idea of public engagement is expanding and increasingly professionalised and complex activity for parliaments. Whilst we still lack consistent evidence evaluating the impact of public engagement, the responses obtained from our respondents is a cause for concern. Promoting Civic Education was rated very low, at 75%. Also, the 50% rating given to the variable of Recognizing Public Ownership of Parliamentary Information is evident that the Parliament still feels there are some part of the parliamentary information that should not be made open for the public. E.g., the salary scale of parliamentarians, resolutions passed to sanction MDAs found wanting in implementation or execution of government projects, etc! Ensuring accurate information was rated 50% low and 50% average. This goes further to mean that the media

attached/ allowed in the Parliament do not report accurately. They often focus on reporting ugly incidents like fracas in chambers, legislators jumping the fence, without reporting the most important things done in the Parliament, at the Committee stages and so on.

There is no one size fits all design of public participation, but should be innovative, and matches the circumstances of the issue at hand and the audience. The practice of participation should be an integrated part of decision making, by allowing participant's ample time and conducting it in a manner that gives the greatest opportunity to influence outcomes. Emphasis should be given to pragmatic and interactive approaches as opposed to formalized procedures.
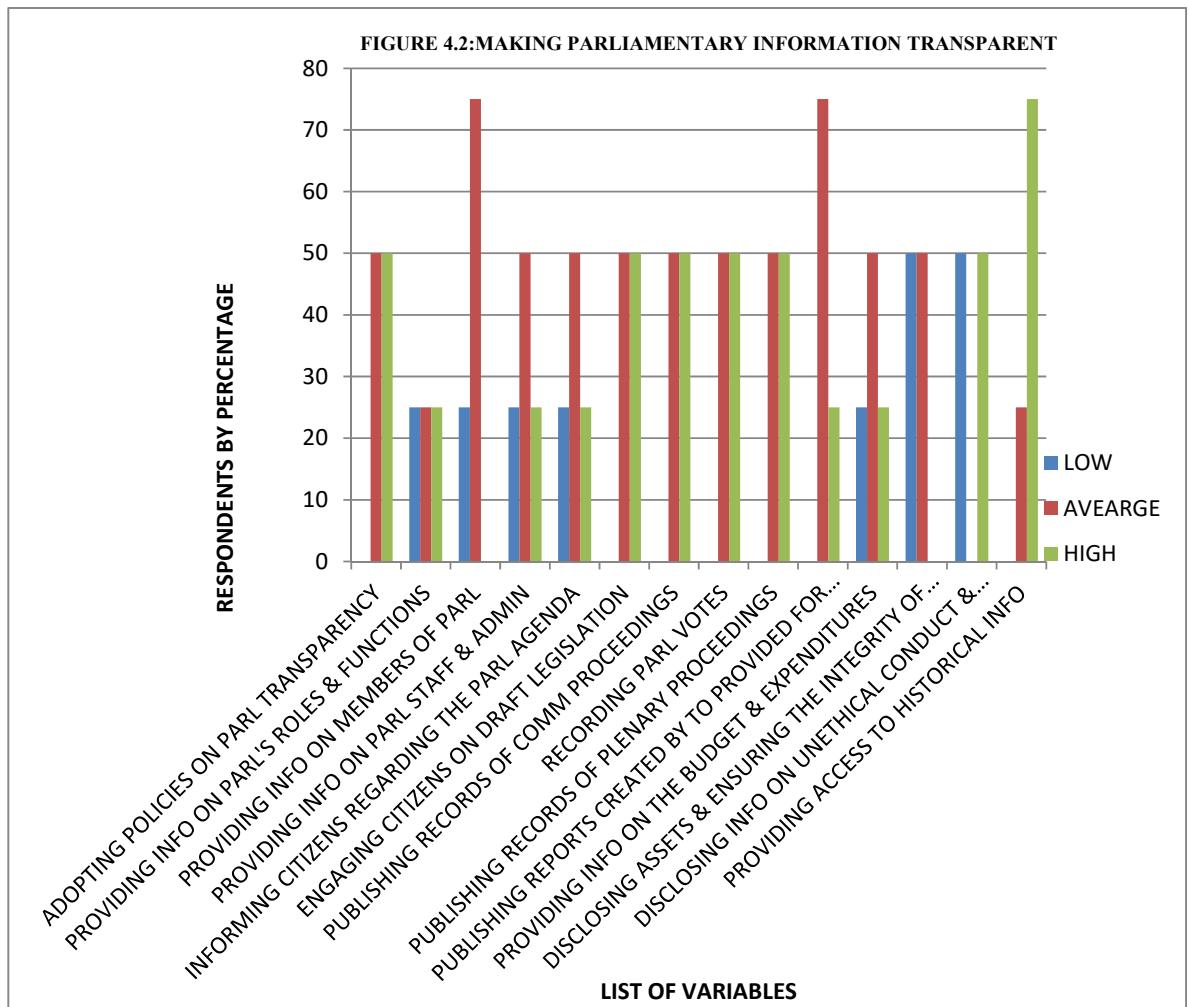
By creating an open, visible, decision making process to which every Nigerian has equal access, Parliament's decisions and policies will receive support and credibility from the public and groups that have highly divergent viewpoints. Because different groups in different regions have fundamentally different needs and viewpoints, these groups will continue to evaluate any proposed legislation or policy from a different perspective.

**Table 4.3: Making Parliamentary Information Transparent**

| S/N | List of Variables | Proportion of Respondents (%) | | | Total% |
|-----|-------------------|-----|---------|------|--------|
| b. | **Making Parliamentary Information Transparent** | **Low** | **Average** | **High** | **%** |
| 13 | Adopting Policies on Parliamentary Transparency | -- | 50 | 50 | 100 |
| 14 | Providing Information on Parliament's Roles and Functions | 25 | 25 | 25 | 75 |
| 15 | Providing Information on Members of Parliament | 25 | 75 | -- | 100 |
| 16 | Providing Information on Parliamentary Staff and Administration | 25 | 50 | 25 | 100 |
| 17 | Informing Citizens regarding the Parliamentary Agenda | 25 | 50 | 25 | 100 |
| 18 | Engaging Citizens on Draft Legislation | -- | 50 | 50 | 100 |
| 19 | Publishing Records of Committee Proceedings | -- | 50 | 50 | 100 |
| 20 | Recording Parliamentary Votes | -- | 50 | 50 | 100 |

| 21 | Publishing Records of Plenary Proceedings | -- | 50 | 50 | 100 |
|----|-------------------------------------------|----|----|----|-----|
| 22 | Publishing Reports Created by or Provided to Parliament | -- | 75 | 25 | 100 |
| 23 | Providing Information on the Budget and Expenditures | 25 | 50 | 25 | 100 |
| 24 | Disclosing Assets and Ensuring the Integrity of Members | 50 | 50 | -- | 100 |
| 25 | Disclosing Information on Unethical Conduct and Potential Conflicts of Interest | 50 | -- | 50 | 100 |
| 26 | Providing Access to Historical Information | -- | 25 | 75 | 100 |

Source: Field Survey (2019)



Source: Field Study (2019)

There cannot be public engagement in the parliamentary process if parliamentary information

is not shared to the public. If the public does not know what is going on in the Parliament, how

could they know where and what to contribute? I strongly agree with Thomas and Germano

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who opined that "For citizens to actively take part in matters of public governance, they must be politically conscious and have access to information" (Thomas and Germano, 2008). This means that the public must not only be aware of their rights and responsibilities but also be made to know the channels through which they can exercise them, through active participation.
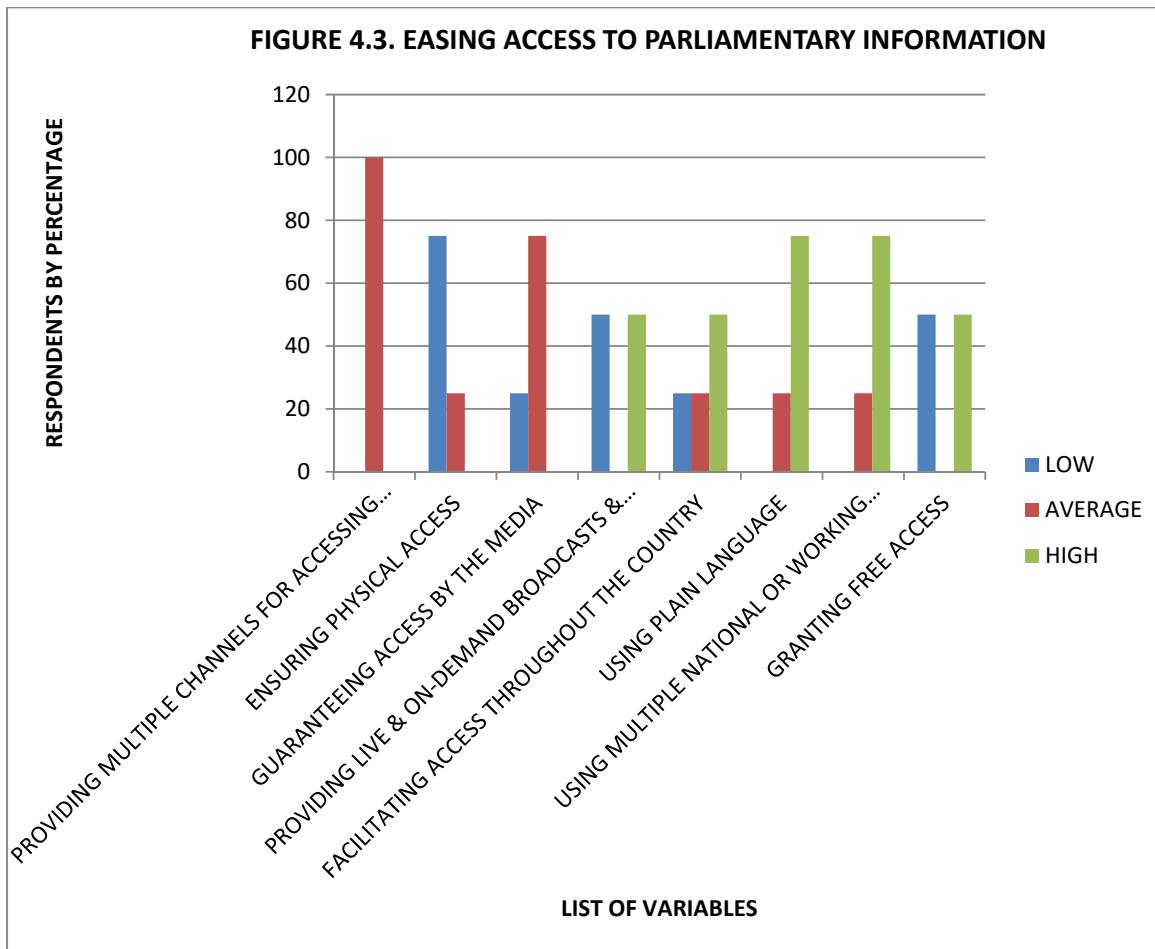
<mark>The level of openness ratings by our respondents, as shown in the table above, shows that more needs to be done in the area of information.</mark> Policy making is a social and political activity; it goes beyond personal decision making because it affects the whole population. He adds that the process usually involves a vast array of professionals and other interested parties, and this has morphed the contemporary analyst into one who engages in wide activities including public relations. Citizen participation increases the scope of citizens' involvement in matters that affect them, beyond periodic voting in elections. Moreover, it opens up the democratic space by encouraging openness and accountability by public institutions. It further contributes to the quality of policy options and for smooth implementation through wide acceptance and compliance. Public participation is therefore a model of democracy.

**Table 4.4: Easing Access to Parliamentary Information**

| S/N | List of Variables | Proportion of Respondents (%) | | | Total |
|-----|-------------------|------|---------|------|------|
| **c.** | **Easing Access To Parliamentary Information** | **Low** | **Average** | **High** | **%** |
| 27 | Providing Multiple Channels for Accessing Information | 100 | -- | -- | 100 |
| 28 | Ensuring Physical Access | 75 | 25 | -- | 100 |
| 29 | Guaranteeing Access by the Media | 25 | 75 | -- | 100 |
| 30 | Providing Live and On-Demand Broadcasts and Streaming | 50 | -- | 50 | 100 |
| 31 | Facilitating Access throughout the Country | 25 | 25 | 50 | 100 |
| 32 | Using Plain Language | -- | 25 | 75 | 100 |
| 33 | Using Multiple National or Working Languages | -- | 25 | 75 | 100 |

| 34 | Granting Free Access | 50 | -- | 50 | 100 |

Source: Field Survey (2019)



FIGURE 4.3. EASING ACCESS TO PARLIAMENTARY INFORMATION

Source: Field Study (2019)

For there to be effective governance in any democratic system, there must be maximum public

participation in the process.

Effective use of resources is measured by the extent to which the services delivered match the preferences of the citizens. It is also assessed by the extent to which citizen needs expressed in proposals are reflected in the decisions and final services provided. It is therefore expected that through engagement of the citizens, governments have better knowledge of the preferences and hence can vary services to suit demands (Ebdon & Franklin, 2004).
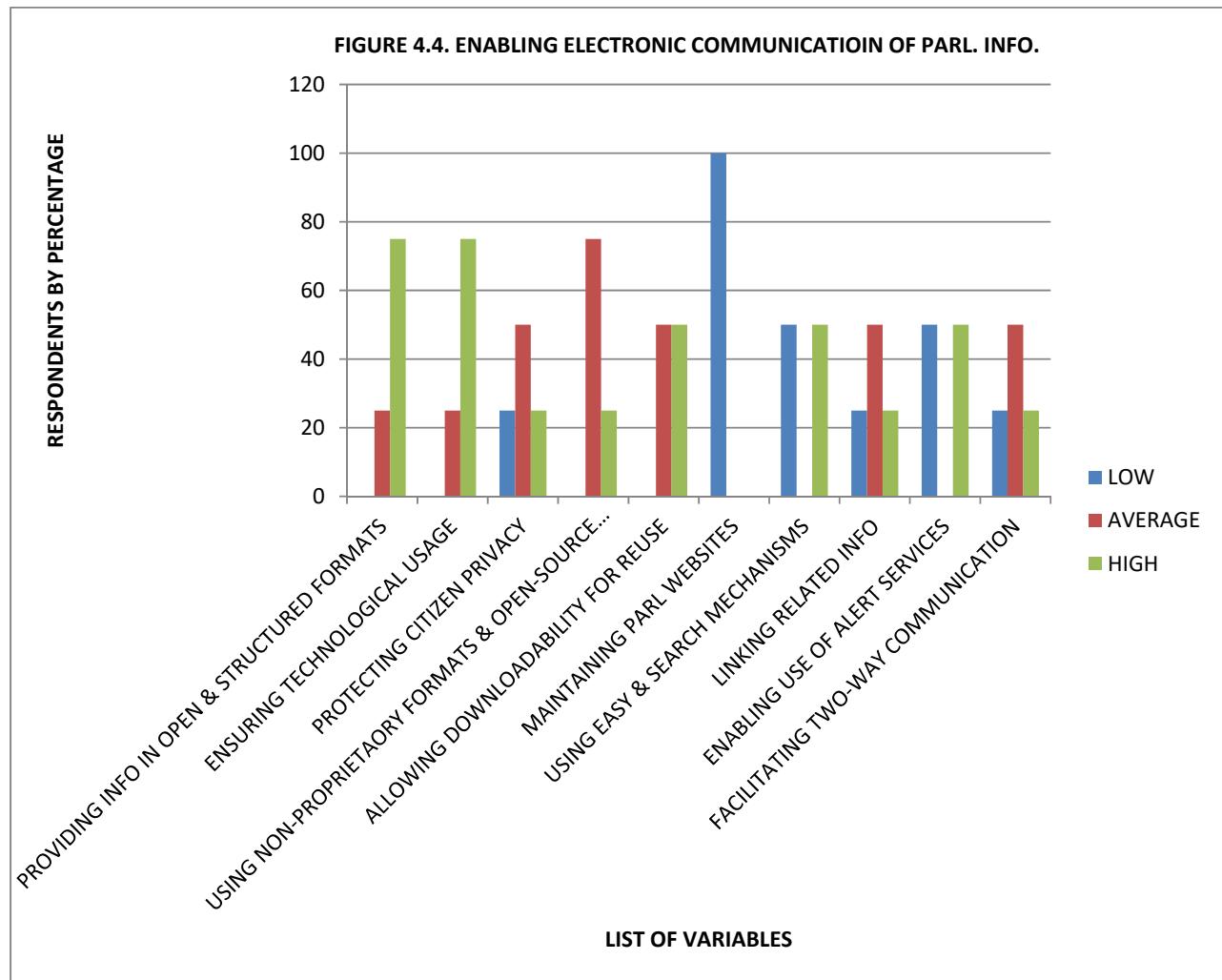
In democratic societies, individuals have the right to be informed and consulted so they can express their views on matters which affect them. Public involvement in decision-making, is not a mere consultation process upon a preferred decision that supports both institutional legitimacy but should be a bottom-up approach to decision-making. This allows those with a weak voice opportunity to exert influence on decision outcomes. Ensuring physical access was rated 75% low and providing multiple channels for accessing information was rated 100% average. However, there is no way the public can obtain these parliamentary information if they are not allowed free access to the Parliament. Even if there are multiple channels of obtaining information was rated 100% high, it still will not solve the challenge of gaining physical access to the Parliament.

The need for the public to gain physical access to the Parliament cannot be overemphasized. This has become even more needful because of the non-functionality of the constituency offices; where they could easily go, to obtain vital information on the happenings in the Parliament. Providing Live and On-Demand Broadcasts and Streaming which was rated 50% low and 50% high by our respondents shows the divide amongst the public. Where only the educated class who could afford the highly expensive internet services could access some information, the larger population of uneducated and poor could not access any.

**Table 4.5: Enabling Electronic Communication of Parliamentary Information**

| S/N | List of Variables | Proportion of Respondents (%) | | | Total |
|---|---|---|---|---|---|
| d. | **Enabling Electronic Communication Of Parliamentary Information** | Low | Average | High | **%** |
| 35 | Providing Information in Open and Structured Formats | -- | 25 | 75 | 100 |
| 36 | Ensuring Technological Usability | -- | 25 | 75 | 100 |
| 37 | Protecting Citizen Privacy | 25 | 50 | 25 | 100 |
| 38 | Using Non-Proprietary Formats and Open-Source Software | -- | 75 | 25 | 100 |
| 39 | Allowing Downloadability for Reuse | -- | 50 | 50 | 100 |
| 40 | Maintaining Parliamentary Websites | 100 | -- | -- | 100 |
| 41 | Using Easy and Stable Search Mechanisms | 50 | -- | 50 | 100 |
| 42 | Linking Related Information | 25 | 50 | 25 | 100 |
| 43 | Enabling Use of Alert Services | 50 | -- | 50 | 100 |
| 44 | Facilitating Two-Way Communication | 25 | 50 | 25 | 100 |

Source: Field Survey (2019)

**FIGURE 4.4. ENABLING ELECTRONIC COMMUNICATIOIN OF PARL. INFO.**



(Source Field Study 2019)

There is no longer denial the rapid growing concern in many legislatures that unless effective channels of communication and participation are established between the institution and their citizens, as well as among legislators and their constituencies, there could be a risk of further erosion of public's trust in the legislative body.

There is no one size fits all design of public participation, but should be innovative, and matches the circumstances of the issue at hand and the audience. The practice of participation should be an integrated part of decision making, by allowing participant's ample time 15 and conducting it in a manner that gives the greatest opportunity to influence outcomes. Emphasis

should be given to pragmatic and interactive approaches as opposed to formalized procedures. The South African parliamentary website (http://parliament.gov.za) provides for several avenues for citizen participation including the People's Assembly, the Taking Parliament to the People programme, the Women's and Youth Parliament's public hearings, outreach programmes, broadcasts, publications and the social media. Parliament has also established Parliamentary Democracy offices in the nine provinces of the country improve access to information on draft laws, policies and other national matters. Finally, bills must be published together with an invitation for public submissions before they are introduced in the various legislative bodies. In Germany (http://parliament.gov.za) on the other hand, public participation relies heavily in expert opinion, before policies are crystallized by the government. Specialist divisions in ministries receive and even monitor potential issues for legislation, and invite various interest groups for discussions.
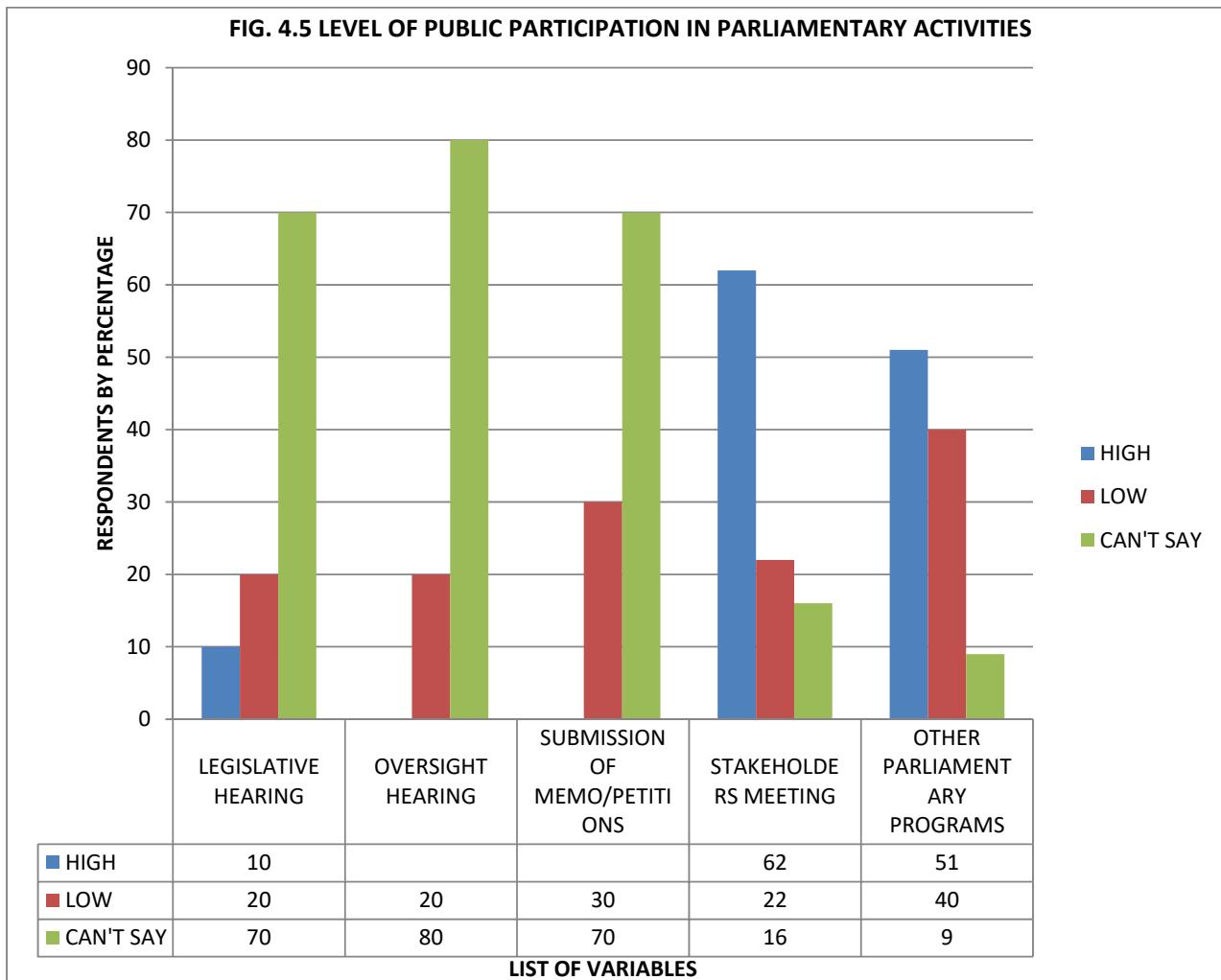
### 4.1.2. <mark>The Level of Public Participation in Parliamentary Activities</mark>

| SN | Variables | Proportion of Respondents (%) | | | Total |
|----|-----------|------|-----|-----------|-------|
|    |           | High | Low | Can't Say | Total |
| 1. | Public Hearing | 10 | 20 | 70 | 100 |
| 2. | Oversight | -- | 20 | 80 | 100 |
| 3. | Submission of Memoranda /Petition | -- | 30 | 70 | 100 |
| 4. | Stakeholders Involvement | 62 | 22 | 16 | 100 |
| 5. | Other Parliamentary Programs | 61 | 22 | 9 | 100 |

Source: Field Survey (2019)

The filled data suggests the level of participation of the public in legislative committees. Hence, respondents argue that citizens should be properly and timely informed regarding the parliamentary agenda/ business.

**FIG. 4.5 LEVEL OF PUBLIC PARTICIPATION IN PARLIAMENTARY ACTIVITIES**

| | LEGISLATIVE HEARING | OVERSIGHT HEARING | SUBMISSION OF MEMO/PETITIONS | STAKEHOLDERS MEETING | OTHER PARLIAMENTARY PROGRAMS |
|---|---|---|---|---|---|
| HIGH | 10 | | | 62 | 51 |
| LOW | 20 | 20 | 30 | 22 | 40 |
| CAN'T SAY | 70 | 80 | 70 | 16 | 9 |

LIST OF VARIABLES

Source: field study (2019)

"If we are to crowdsource our democracy, we must make certain that the public feel they have real involvement in the way Parliament works" (Robert 2015).

Public participation promotes legitimacy and public support for legislation and government policies, and thereby ensures democratic stability and growth, commented one respondent during the interview. Our interview respondents unanimously agreed that public participation gives people power to influence and understand the decisions that affect their lives, the practice reduces a feeling of alienation and powerlessness.

The basic principle underlying a public hearing is its openness, which involves free access to the meeting room at which the hearing is held, the presence of the press, calls for submissions of memoranda, oral opinions, and the proper dialogue or robust exchange of ideas between the Lawmakers and the public. Thus, the exclusion of openness is an exception and not a rule. Sometimes, a situation demands that hearings be held in closed doors. In the US for example, public hearings are open to the public; however, they will be closed if the disclosure of the testimony, evidence, or other matters to be considered would endanger national security, compromise sensitive law enforcement information, or violate a law or rule of the House. Same can be said of the National Assembly of Nigeria. However, the inability of the Nigerian public to gain physical access to the Parliament is the major challenge faced by the public. Some of the revealed literatures established that importance of public engagement in the legislative process.

When asked to what level does the people's input count in the legislative process? A former member of the House of Representatives, *Hon. Eseme Eyiboh* (2016) said:

> The intention of all the readings, the committee stage and the public hearing is to allow the people to participate. The people's input is part of the legislative process. So, the responsibility of law-making can never be complete without the peoples' participation. When the budget proposal is brought, the executive will engage the legislature and the legislature, through its various committees, will reach out to the people (THE NATION, 23rd Sep., 2016).

The disillusionment evident on the faces of the citizens whenever public participation in legislative process comes up has translated into declining citizen participation in government affairs, partly caused by lack of public confidence and trust in policymakers, and in some cases exacerbated by the inability or ineffectiveness of public institutions to inform the community and devise mechanisms to include citizens and stakeholders in the policymaking process.

As stated earlier, "This institutional arrangement assumes that citizens are only called to participate in the political system every four or five years, when elections take place. However, this principle of delegation has been increasingly questioned, particularly recently by the rapidly rising interest for, and experiments with, participatory democracy" (Smith, 2009).

The Legislature sometime uses the mechanism of Resolutions to express the will of parliament on different issues in furtherance of its representational role in our democracy. Many landmark Resolutions have been passed which serves the purpose of bringing the problems, interests and aspirations of the people to the attention of the government. The National Assembly also maintains a Public Petitions Committee with the primary responsibility of entertaining complaints and petitions from the public. This ensures citizens democratic access to the parliament. This process plays an invaluable role of providing citizens with listening ear and helps to douse tensions and agitations in our polity. It is also a vehicle for political input and a way to bring public concerns to parliament. The people feel that they are part of the governing process and it vindicates the very idea of democracy being a government of the people for the people. In 1974, the Speaker, House of Commons said: "All authorities agree that the right of petitioning Parliament for redress of grievances is acknowledged as a fundamental principle of the constitution. It has been uninterruptedly exercised from very early times and has had a profound effect in determining the main forms of parliamentary procedure".

In a keynote address presented at the 2016 National Political Summit, the Speaker of the House of Representatives (HORs), Rt. Hon. Yakubu Dogara, succinctly captures the problem in perspective in a way that warrants copious quotation:

> People may sound surprised when we say that the National Assembly is underfunded. The cost of taking legislation back to our people either through the media or through physical conduct of some hearings in our constituencies is so huge. We cannot afford to run our House proceedings live on TV and Radio. We cannot afford to conduct investigative hearings live or even to air it fully

after the event. We must recognize that public access to legislative activities is at the heart of our democratic experiment and practice! It is time for a public debate on the cost of running the legislature in Nigeria. I am not unaware of the dwindling resources available to the current government to carry out its pro-people and pro-poor policies. We as an arm of government will make the necessary financial sacrifices as may be required but I am only pleading for greater public understanding of the demands on the legislature to deliver on good governance (Dogara, 2016: 4).

The modern parliament is a very different institution to the one conceptualised by the liberal democratic tradition, coexisting with a radically different society and citizenry. Public engagement is simultaneously a consequence of this new environment, as well as a part solution to understand the modern parliament and its mediating role between governance and society.

The Representative role of the legislature includes providing democratic legitimacy for government. The accessibility of the Legislature to the ordinary citizen helps to gender confidence in the system. Citizens who regard their government as legitimate are more likely to obey laws, support the regime and accommodate diverse point of view. Citizen participation in the legislative process is vital to creating this sense of legitimacy. I agree with Norman Ornstein comments on the importance of legitimacy of the legislature, using the example of Kenyan parliament: "The real power and influence of the (Kenyan National) Assembly comes through the exercise of its informal powers. The most important informal function the legislature performs is to provide legitimacy to government actions, this in turn Promotes support among the populace for the regime. The legitimizing function is vital in light of the revolts and bouts of instability that have plagued other nations in the region. By accommodating cultural and historical realities, the Kenyan Assembly allows opposition and dissent within the system, yet also provides stability. As a result, the populace feels at ease about the strength and legitimacy of the system; at the same me, it feels it has some say in the political process".

The 2012 Declaration on Parliamentary Openness describes legislative information as information about legislature's roles and functions, and information generated throughout the legislative process, including the text of introduced legislation and amendments, votes, the legislative agenda and schedule, records of plenary and committee proceedings, historical information, and all other information that forms a part of the legislative record, such as reports created for or by legislature.

On September 14-15, 2015, the Parliament of Georgia hosted a global meeting of the Open Government Partnership's Legislative Openness Working Group, a gathering that brought together over 75 parliamentary and civil society delegates from more than 30 countries. The conference, entitled *Committing to Openness: Parliamentary Action Plans, Standards, and Tools, explored actionable strategies for advancing transparency and citizen participation in the legislative process.*

During her remarks, South African Deputy Minister Ayanda Dlodlo, Co-Chair of the OGP Steering Committee stated that "the act of opening up the legislature is essential for any democracy and is crucial for its proper functioning." Legislative openness is a critical component of effective representative democracy. Meaningful public engagement and participation in the legislative process can only exist when the public understands the legislative process and has access to the necessary information. Beyond its own openness, parliaments also play a key role in advancing openness throughout the government via legislation, oversight, and representation.

It is necessary to have innovative approaches to the fundamental principles of democracy. While legislative openness does not require technological innovation, it is increasingly true that citizens expect to access parliamentary information and engage with their elected representatives online. To meet these expectations, and to modernize the institution for an

increasingly wired world, parliaments stand to benefit from the development of new technologies. That being said, parliaments can be slow to modernize and often struggle with limited tech skill and capacity. Civil society groups, on the other hand, are often tech-savvy and can support legislatures by demonstrating what can be achieved.

At a time when the open recognition of Parliament is that they are out of touch, which governments ought to be more responsible, it is broadly held that Parliamentary committees can give a bridge between the Parliament and the individuals, and can too offer a compelling strategy of audit and investigation of government approaches and enactment. In spite of the fact that parliamentary committees have continuously existed – managing with such things as parliamentary benefit, the investigation of open accounts and survey of enactment in detail – within the last few decade, there has been expanding intrigue in utilizing committees to survey government approach, and to explore and wrangle about political issues. It is more common hone for such0 authoritative committees to call witnesses. Within the NASS, it has gotten to be the hone for committees to travel broadly, looking for prove from the open.

When people take an active part in policy formulation, the planning and/or implementation of programmes or projects, they consider such policies, programmes and projects to be collectively their own, and therefore the public takes pride in such initiatives and take responsibility which leads to the sustainability of such initiatives. Our respondents unanimously agreed that public participation legitimizes government initiatives in the eyes of the citizenry. For this reason and many others, the study adopted that the role of public participation in the legislative process should be taken seriously and institutionalized, in line with the Change mantra of the present administration.

4.1.3. **The Challenges of Parliamentary Openness**

There is a general consensus that there are challenges in running an open parliament. However, respondents were concerned that the circulation of parliamentary information and committees' public notice are often limited to the capital city and major towns; and that newspapers rarely reach rural communities, and if they do, it is usually late. Bills are usually long, and cannot be adequately covered in a newspaper, and most worrisome of them all, the Parliament and elected representatives have no control over the independent media or newspapers costs vs. benefits. Newspapers are for profit, and with the challenges highlighted above; they cannot guarantee the anticipated results, in terms of increased awareness and encourage public participation. The following were generally listed by respondents as the major challenges facing parliamentary committees in ensuring openness and public participation in the National Assembly:

**Major Challenges of Open Parliament:**

a. Legislation often takes a very long time and citizens become bored and subsequently uninterested in the process.

b. People often speak from the standpoint of political party, instead of the central national interest and that makes it difficult for the Committee to reach consensus.

c. People do not get enough advance notice that a hearing is being held or that their views can be expressed through some other mechanism.

d. Hearings are being held in the capital or in the big cities only, and most people can't get to them.

e. People can't afford the transport and the economically 'non-productive' time to go and participate in a public hearing or a focus group.

f. The timing for the public consultation is not convenient for many people: they are at work or it coincides with a time of the day that is typically very busy in the household;

g. The language in which the issue to be discussed is too complex – people have difficulty understanding what precisely is being asked.

h. No local languages are used – many people do not have enough fluency in the 'national language' in which the conversation is taking place.

i. In the adoption of e-parliament; the challenges of limited resources and; insufficient technical knowledge among legislative staff have been described in their responses. Other challenges that have not been highlighted include ensuring the accuracy and timeliness of data, identifying of key users for requirement gathering, storage and archiving, as well as usability of parliamentary websites.

j. Another challenge is that there is no clearly defined standardized software or platform for e-parliament adoption as they are currently different open standards. Some of these issues are general, but majority of others are technical.

k. Open data and managing social media requires new skills and knowledge and this is a major challenge in emerging economies plagued by issues of cost and complexity. In addition, to encourage parliaments to be more open and engaging, a standard procedure need to be fully developed and agreed on while considering successes of other parliaments in adopting such procedure.

l. The security of the parliament is essential to the sustainability of the system. The public may not trust the Parliament if it is not secured. Some the important security issues of concern include: a). Enable secured exchange of information to prevent unintended disclosure of sensitive information; b). Use of Intrusion Detection Systems (IDS), firewalls, content filtering and access control, mail gateway; c). Regular update of Antivirus and Anti-spyware software; d). Network Access Protection (NAP) to enable parliamentary administrators define system health requirements policies to restrict or deny network access to devices that do not comply with the set policies; and vii. Use of Virtual Private Network

(VPN) to prevent unauthorized access and encrypt data over unsecured networks to ensure confidentiality.

**Challenges of the Parliamentary**

i. **Poor Stakeholder Engagement**

The engagement of stakeholders is one of the best ways to support a qualitative legislative process. After a bill is referred to the relevant Committee or Committee of the whole for further legislative action, the general public or relevant stakeholders are usually involved in a public or stakeholders hearing on the bill. The opportunity usually presented at this stage for interested parties, the public and government officials to make inputs on the bill goes a long way in ensuring that a quality bill is presented by the committee for passage.

ii. **High Turnover of Legislators**

Unfortunately, one of the major challenges of our democratic experience borders on the massive turn-over of Members of the Legislatures at each election reducing returning Members to a margin of about 30%, with over 70% or more of old and experienced Members ousted thereby reducing the Legislatures to a theatre of experiments. This creates problems for the legislature. First, new members are not only strangers to legislative processes and functions but to the whole business of governance who are now saddled with legislative responsibilities on wobbly feet. The exception in recent times are the Governors or Commissioners or Ministers that get elected as legislators but even then, the legislative business is distinct and requires special training to achieve the requisite skills to function effectively. Secondly, the laws passed by the last Assembly are consigned to the archives; new Members are either unaware of such laws or in an attempt to seek popularity, ignore same laws and undertake new ones, possibly repackaged with or without substantial difference in content and context. Much more would be

achieved as regards passage of laws and motions as well as the implementation of such legislations/motions if there were a higher retention rate of legislators at subsequent elections.

iii. **Change of Legislative Leadership**

Frequent change of leadership is among the leading causes of poor legislative output and outcome by legislature. This can be in the form of change of Committee Chairman, Sub-Committee Chairman, Committee Clerk or the Speaker or Senate President, etc. Such changes do not foster development of key legislative skills and transfer of knowledge.

iv. **Poor funding**

The Committees are under-funded. Monies appropriated for the committees are not enough to facilitate its conduct of official legislative business. In most in stances, committees are not allocated sufficient funds to meet the legislative needs at the committee levels. This seriously impinges on committees' performance. The committees are supposed to be properly funded because of the various critical roles they play. The committees should not be found wanting in the discharge of their duties due to inadequate funding.

v. **Inadequate working materials**

The committees lack basic infrastructures and working materials. These include Internet services, working equipment, and so on, and this makes collection of data difficult. Modern working materials will enhance efficiency and productivity as well as create an enabling environment for legislative committees. The committees lack research personnel and library facilities necessary for unearthing relevant data for legislation. As the hub of the legislative system committees are supposed to be equipped with libraries containing the basic literature and reference materials, and other related legislations from other Assemblies to guide the

course of their work. Research resources must be availed to Parliamentary Committees and parliamentary library with access to Internet facilities or e-library is a necessary requirement.

vi. **Insufficient Office Space**

The problem of office space in terms of numbers and adequacy has remained challenging in spite of relative improvement in its provisions. A large number of Committee Secretaries and their support staff do not have offices. Routine office work is conducted in crowded rooms meant for Committee meetings. The result is that these officers are chased out whenever the rooms are needed for Committee meetings.

vii. **Lack of Relevant Expertise**

PARP Report (2010) also shows that problems of the Committee system in Nigerian include lack of relevant expertise among Committee Clerks and the inability of Committees to retain their clerks for long periods as is common in advanced democracies of the world. It is also common place that most Committee members do not last more than four years in Nigeria. The situation is different in democracies like the United States of America where Committee Clerks serve for an upward of 30 years or more. This will allow adequate room for on-the-job training and one can be sure to acquire all the necessary skills in the course of time.

viii. **Multiple memberships of Standing Committees**

Placement of members in several Committees stifles effective participation in the activities of the Committee and impinges on their performance.
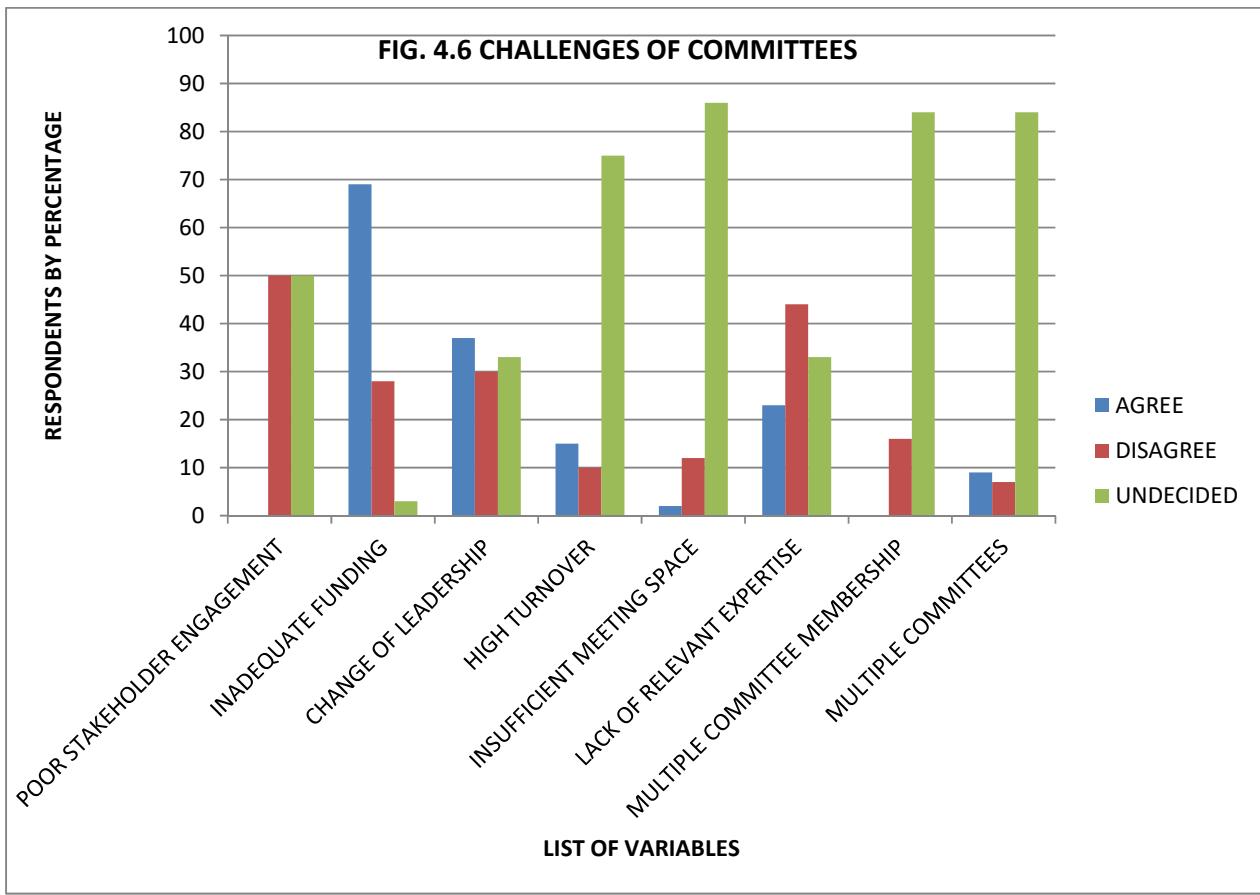
ix. **Increase in the number of Committees**

There has been conflict of duties arising from increase in the number of Committees. Inexplicit delineation of jurisdiction or the scope of activities of some Committees has resulted in overlap and sometimes apparent duplication of functions & Uncooperative Attitude of Government officials Reluctance of some government officials to provide reliant information needed for the smooth performance of committee functions Graduate Logistics Logistic problems arising from unavailability of research materials and functional internet facilities to enhance smooth operations of the Committees Inadequate capacity building programmes Lack of training workshops and exposure for member of the Committees and the secretarial staff, which has made it difficult for members and staff to keep abreast of recent developments and issues bordering on legislative practices and procedures.

**Table 4.6: Challenges of Parliamentary Committees**

| SN | Variables | Proportion of Respondents (%) | | | Total |
|---|---|---|---|---|---|
| | | Yes | No | Can't Say | Total |
| **1.** | Poor Stakeholder Engagement | 50 | 50 | -- | 100% |
| 2. | Inadequate Funding | 69 | 28 | 3 | 100% |
| 3. | Change of Leadership | 37 | 30 | 33 | 100% |
| 4. | High Turnover | 15 | 10 | 75 | 100% |
| 5. | Insufficient Meeting Space | 2 | 12 | 86 | **100%** |
| 6. | Lack of Relevant Expertise | 23 | 44 | 33 | **100%** |
| 7. | Multiple Membership of Standing Committees | -- | 16 | 84 | **100%** |

The graphical representation of the challenges identified above are represented below

FIG. 4.6 CHALLENGES OF COMMITTEES

Source: field study (2019)

While being mindful of the fact that legislative Committees are extremely busy and often deal with multiple agenda items on any given day, legislators should look at how best to maximise time to hear and engage with the public. This is especially so when a given topic is particularly detailed or very important to the public at large. It might also be prudent for committees to make it known to the public before the hearing date that they would only have X amount of time to make a submission or have their say – this would aid in ensuring the public is fully aware of time constraints before arriving and ensure their submission meets the time limit set.

It was a cause to worry about when one of the public stakeholders we interviewed showed a great displeasure when he narrated an ugly experience he had in one of the public hearings he attended in 2018. While Parliaments are advised and encouraged to involve the public in her

activities, they should also ensure that enough time is given to the public, to prepare and present their memoranda.

### 4.1.4. **Practical Methods of Enhancing Openness and Citizen Engagement**

The respondents indicated that there is growing interest from the public and civil society groups in advancing legislative openness and developing new approaches for achieving openness in our tech-empowered world. They respondents however provided examples and successful strategies for enhancing parliamentary openness.

Filled data suggests the following as strategies that would mitigate the challenges confronting Parliaments in enhancing openness and public participation. The following mediums can be used for the sharing of parliamentary information and enhancing public participation:

Newspapers; Parliamentary publications, such as the debate; Wide circulation of Parliament Order Papers; Radio; Television; Fax Broadcasting; Electronic Mail (e-mail); and the Internet.

Respondents were asked to provide suggestions on how to improve public participation to best encourage comment from a wide cross-section of society. In analysing the responses, it is clear that the existing strategies to promote public participation are insufficient and that the national legislature needs to do more to get a plurality and multiplicity of views.

Legislative openness strengthens relationship between the people and the government and provides a means for the people to participate in the oversight of government policies and programmes. Legislative authority is exercised and upheld by legitimacy. The legitimacy is guaranteed by strong trust reposed on the legislature by the people. Strong trust in this case, cannot be achieved without adequate democratic process to allow for effective participation by citizens at all levels. Also, the legislature should not only focus on oversight over executive activities but also take an active role in international governance openness and transparency

initiatives. Besides, the legislature has the responsibility to promote citizens' understanding of legislative activities through provision of complete, accurate, and timely information to increase openness and transparency.

In order to ensure well-informed citizens on legislative activities, legislature should adopt policies that ensure constant publication of legislative information with periodical review of the policies to take advantage of evolving good practices. The 2012 Declaration on Parliamentary Openness describes legislative information as information about legislature's roles and functions, and information generated throughout the legislative process, including the text of introduced legislation and amendments, votes, the legislative agenda and schedule, records of plenary and committee proceedings, historical information, and all other information that forms a part of the legislative record, such as reports created for or by legislature.

Communication is important but not sufficient; Citizens are increasingly sophisticated – they know the difference between real and fake dialogue, and don't forget false promises; Increase transparency but don't expect immediate public perception payback; Focusing dialogue on young people crucial; attitudes to democracy are long-term; Rebuild respect for democracy by forging consensus on the rules of the game; 'loyal opposition'.

As the European Parliament (EP) has progressively gained powers in the last decades, the life of the institution has been marked by growing complexity and the quest for increased legitimacy. The management of information has been crucial to both, flowing in a double direction: committee specialization and ever-growing public outreach. These underpin the EP's efforts to make up for the democratic deficit in the architecture of the European Union (EU). On the one hand, information as input derives legitimacy from efficiency. Committees have been central to handling information in order to achieve greater efficiency in legislative work. In strengthening their position and through their claims for greater transparency in the whole

EU architecture, EP Committees have also strengthened the role of the EP in European governance. On the other hand, information as output derives legitimacy from public ownership. Direct elections and ever-growing powers have not automatically increased the legitimacy of the EP. Reaching out directly to citizens, both to inform and to be informed has become an important battleground for legitimacy in supranational Europe.

The respondents identified that participation results in learning, and learning is often a prerequisite for changing behaviour and practices. So, as political unresponsiveness have expanded and believe in Parliaments has fallen, endeavours to lock in citizens into Parliamentary exercises have ended up a standard topic of present day vote based system and a central action for numerous associations. Parliaments are no diverse. In case anything, they have come to depict political separation and, so, these teach have been beneath specific weight to create a public engagement technique. While typically still a moderate handle for numerous assemblies, a few have taken this duty genuinely and, over the final decade, we have been seeing an impressive extension of parliamentary open engagement. This paper espoused on the part played by legislative Committees, towards accomplishing parliamentary openness and citizen engagement.

## CHAPTER FIVE

## SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

**5.1  Summary of Findings:**

While the number, type, size and function of committees varies considerably from one legislature to another, committees has become an increasingly important organizational component of any (effective) legislatures. Legislative Committees - especially in developing democracies like Nigeria, enable a legislature to engage actively in the nation's governance. Committee hearings also provide a forum for an exchange of ideas.

In the course of this research, the following was found:

i.  The study found that Parliamentary committees are the link between the general population and the Parliament. Parliamentary committees were said to be the forums most capable of facilitating the outflow and input of information concerning decisions regarding a particular issue or sector and that their small size allows for policy focus, while their multiparty composition facilitates broad discussion. Furthermore, the mandate given to committees to conduct open hearings provides direct channels to communicate with the public.

ii.  Open parliaments aim to address the widening gap between the parliament and its citizens by enhancing citizen participation and engagement in parliamentary processes. The Committee system has come to stay as one of the most effective and indispensable tools for world parliaments in the new millennium.

iii.  The benefits of parliamentary openness are multiple. Opening parliament can create effective outcomes in key policy areas, such as health or education as increased contribution of citizens in legislation, oversight and budget processes on key issues leads to better quality legislation. It can improve the efficiency of parliament as citizens monitor

and participate in parliamentary processes. Parliamentary openness can challenge the parliament to consider reforms that take into account citizen's expectations and improve the overall trust relationship between citizens and the parliament. Ultimately this all helps improve the transparency and accountability of the institution.

iv. Committee system has proven to be an instrument that makes the legislature function more effectively. With most legislatures faced with many complex issues, and having neither the time for thorough Scrutiny of complex administrative details, nor the expertise needed for these tasks, Committees become inevitable. This is so, because the system facilitates a more detailed and thorough consideration of issues which are really not possible in the plenary. It has been established also that it helps in the saving of time of the legislature, which is better utilized for the discussion of major issues of policy and other matters of urgent national importance.

v. Almost all standing committees in developed country employ or engage professional consultants that give their Committees expert advice and input. Membership and engagement of consultants should be based on expertise whereby legislators or consultants with specific expertise competence should be placed to apply their experiences to the tasks facing relevant committees Members of committees are often untrained and unable to understand the complexities of government accounting and reporting. As a result, they are unable to offer constructive criticism of government policy and practice. Local and international training programmes are necessary for committee clerks and members to keep them abreast with best practices in committee administration.

vi. Experienced committee clerks and staff are needed to carry out committee functions effectively and efficiently Inadequacies of office equipment, internet and other working facilities, as well as lack of office accommodation for staff, impinge on their morale and productivity. Insufficiency in the number of meeting rooms resulting in the postponement

of committee meetings adversely affect the commitment and attendance of members to meetings. Therefore, adequate office accommodation, equipment and other facilities, including meeting rooms should be provided for the secretariat and members of the committees to encourage them put in their best. The Committee system and operation has been relatively effective in the Nigerian National Assembly but it can be made more effective if more professionals, consultants and researchers are brought in to beef up the productive capacity of the Committees.

## 5.2 Conclusions

In the cause of this study, different methods were identified as mediums for enhancing parliamentary openness and public participation. These mechanisms included individual interviews, stakeholders meeting, workshops, committee hearings, publications, surveys and opinion polls. However, in most of these processes, there was a general view that little public participation took place, often because these were used more as public information dissemination processes and not necessarily public participation processes. Secondly, it was also observed during both the surveys that the unavailability of legislative information in the public domain was in itself an impediment to openness and public participation. Several factors were identified as potentially contributing to the unavailability of legislative information in the NASS and the lack of feedback to Parliament. During the study, interviewees considered various options that would be used in enhancing openness and public participation, sharing of information and ultimately achieving Parliament's constitutional obligation of being the people's voice at the same time working towards achieving the goals set out in the Agenda for Change.

The National Assembly needs to dig deeper to encourage an even wider reach in soliciting input whether on legislation, policy or issues of national importance, that will include all corners of society thus ensuring the process is not dominated by those with access to resources, funds and technical know-how. This is particularly so when the legislature is engaging the public on key topical issues – as the holding of this type of hearing by parliamentary committees is troublingly low. Increasing the scope for innovation and "opening spaces" cannot lie squarely at the door of Parliament but also requires the involvement of the public itself to ensure there is collaborative effort. It was found also that the public are unaware of various constitutional guarantees at their disposal to enable them actively participate in legislation. When the public is unaware and incapacitated, we can deduce that their participation will be hampered.

In the words of an Indian Parliamentarian, Jaswant Singh in Barnhart (1999), the Committee atmosphere is more suited for in-depth and non-partisan examination of matters by members having special interest/ expertise in the subject matter, away from the glare of the public. Accommodation of differing points of and compromises through give and take are more achieved in the committees than in the Whole House Apart from serving as instrument of legislative control and surveillance over the executive actions, Committees enable members to have a glimpse of the working of various government Ministries, Departments and Agencies and appreciate various problems and constraints faced by them, as well as the limitations subject to which they have to exercise their legislative authority In order to strengthen the parliament and its committees, a less partisan approach should be used in the formation of committees and in their proceedings. In most cases professional advice from staff aimed at enhancing the law making process are largely ignored. The members once appointed to committees assume monopoly of knowledge such that staffers of committees who have been

sieved through the legislative mill are deemed incompetent even in contributing to the minute details.

## 5.3    Recommendations

This research has shown that Legislative Committees are the most valuable tool at the disposal of any Parliament. Therefore, strengthening the linkages between legislature and the people is a necessary step for promoting openness and public engagement. When citizens feel that their views are represented in government and their representative bear constituents` interests in mind, they are not only encouraged to participate in legislative process, but also accept the legislature to enact legislation and the executive to implement and enforce it. It is the wish of the researcher that the various recommendations made here will be holistically adopted by various legislative Committees, to enable them be more open and properly engaging.

While support institution like NILDS continues to hold parliamentary educational programs for students and visitors, it is essential that the indicators for similar commitments be spelled out with more detail, as to make their assessment possible by objective criteria. It is also desirable that respective Committees the Parliament systematically conduct lectures and presentations on parliamentary work in public schools, universities and other venues where such information would be desirable for boosting civic education.

Since parliamentary committees are relatively indispensable to the parliament, respondents urged the National Assembly to strengthen its Committee system as there is the potential to engage more citizens, educate the public on the roles of the Parliament, focus on a specific issue and task at a time, through which its members could benefit and develop specialization and ultimately share that expertise and information with the citizens. Through the National Assembly committee hearings and deliberations, the National Assembly would also play a vital

role in providing guidance from a public perspective to both the National Assembly and the Executive.

Ideas gathered as a result of stakeholder consultations/ interviews include: raising public awareness on parliamentary work by means of various information campaigns; enhancing the dialogue between Parliaments representatives and the private sector and media; amending the law on lobbyism and public private partnerships (PPP); establishing a council of innovations within the Parliament of Nigeria, etc. Respondents stressed the importance of 'frequent stakeholders/public meeting'; believing such meetings as an opportunity to learn more about legislative processes and share their ideas to make the Parliament more open for its citizens.

Below are the specific recommendations, based on the findings made by the researcher:

i.  Committees must make it a habit to get in touch with organizations, ministries and people who have technical knowhow…. [In addition,] there is a need to sensitize the people through civic education and public hearings on their right to be heard.

ii. To ensure openness, citizens' participation must be encouraged through physical access to the legislature. All citizens irrespective of their social, economic, political and ethno-religion backgrounds should be allowed access to the legislature.

iii. Adopting online platforms remain effective channel to release and disseminate legislative information in timely and accessible manner. The platforms should be structured to pave way for two-way communication between the legislature and the citizens, rather than merely information dissemination. Effort to use online platforms should consider presenting information to the citizens in such accessible formats that allow citizens to analyse and reuse the information using the full range of technology tools. For instance legislative websites like www.nassnig.org, www.lagoshouseofassembly.gov.ng,

www.imoassembly.gov.ng should enable communication with citizens even in communities with limited internet accessibility, by facilitating information access to intermediaries, which can further disseminate the information to citizens. Legislature has a duty to ensure technological usability and adaptability of legislative information, while guaranteeing the privacy for those accessing the information. The citizens should fully utilise the online platforms in interacting with the legislature.

iv. Effort to enhance openness in the legislature should recognize public ownership of legislative information; guarantee effective implementation of laws ensuring openness in the conduct of government activities in a full transparent manner; stimulate civic education of the public by promoting understanding of legislative activities; the roles of legislature and its members; vigorously engage citizens and civil society in legislative processes and decision making to effectively represent citizens' interests and protect their rights to demand accountability with active consideration of smooth operation of civil society without restriction; recognize the right and duty of civil society, media, and the general public to monitor legislature, and engage in consultations with civil society to encourage effective monitoring and reduce hurdles in accessing legislative information.

v. In order to immune the legislators with adequate knowledge and experience in the performance of their duties, the legislature should encourage their active participation in international and regional exchanges of good practice with other legislature and civil society organizations to increase the openness and transparency of legislative information, improve the use of information and communication technologies, and strengthen adherence to democratic principles.

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**APPENDIX**

**DEAR SIR/MA,**

**RESEARCH QUESTIONAIRE**

I am a post graduate student of the National Institute for Legislative and Democratic Studies/ University of Benin (NILDS/UNIBEN) and as one of the requirements for an award of Master's Degree in Legislative Studies; I am conducting a research on the topic: **NATIONAL ASSEMBLY: WINDOWS FOR PARLIAMENTARY OPENNESS AND PUBLIC PARTICIPATION.**

The under listed questions which are in different sections are designed to elicit your response on the subject matter.

All responses will be treated with utmost confidentiality.

Thanks for your anticipated cooperation.

Yours sincerely,

**DAVID CHIEDOZIE, NWAENYI**

.................................................................................................................

**Section One: To ascertain the level of openness in the Nigerian National Assembly (NASS).**

**On the _Declaration of Parliamentary Openness_ model, using the listed criteria below, rate the performance of the 8th National Assembly, on OPENNESS AND PUBLIC PARTICIPATION.**

**NOTE:**

**0-35 = Low**

**36- 65 = Average**

| S/N | MODEL/ CRITERIA | PERFORMANCE LEVEL | | |
|---|---|---|---|---|
| | **Promoting a Culture of Openness** | **Low** | **Average** | **High** |
| 1. | Recognizing Public Ownership of Parliamentary Information | | | |
| 2. | Advancing a Culture of Openness through Legislation | | | |
| 3. | Protecting a Culture of Openness through Oversight | | | |
| 4. | Promoting Civic Education | | | |
| 5. | Engaging Citizens and Civil Society | | | |
| 6. | Protecting an Independent Civil Society | | | |
| 7. | Enabling Effective Parliamentary Monitoring | | | |
| 8. | Sharing Good Practice | | | |
| 9. | Ensuring Legal Recourse | | | |
| 10 | Disseminating Complete Information | | | |
| 11 | Providing Timely Information | | | |
| 12 | Ensuring Accurate Information | | | |
| | **Making Parliamentary Information Transparent** | | | |
| 13 | Adopting Policies on Parliamentary Transparency | | | |
| 14 | Providing Information on Parliament's Roles and Functions | | | |
| 15 | Providing Information on Members of Parliament | | | |
| 16 | Providing Information on Parliamentary Staff and Administration | | | |
| 17 | Informing Citizens regarding the Parliamentary Agenda | | | |
| 18 | Engaging Citizens on Draft Legislation | | | |
| 19 | Publishing Records of Committee Proceedings | | | |
| 20 | Recording Parliamentary Votes | | | |
| 21 | Publishing Records of Plenary Proceedings | | | |
| 22 | Publishing Reports Created by or Provided to Parliament | | | |
| 23 | Providing Information on the Budget and Expenditures | | | |
| 24 | Disclosing Assets and Ensuring the Integrity of Members | | | |

| 25 | Disclosing Information on Unethical Conduct and Potential Conflicts of Interest | | | |
|---|---|---|---|---|
| 26 | Providing Access to Historical Information | | | |
| | **Easing Access To Parliamentary Information** | | | |
| 27 | Providing Multiple Channels for Accessing Information | | | |
| 28 | Ensuring Physical Access | | | |
| 29 | Guaranteeing Access by the Media | | | |
| 30 | Providing Live and On-Demand Broadcasts and Streaming | | | |
| 31 | Facilitating Access throughout the Country | | | |
| 32 | Using Plain Language | | | |
| 33 | Using Multiple National or Working Languages | | | |
| 34 | Granting Free Access | | | |
| | **Enabling Electronic Communication Of Parliamentary Information** | | | |
| 35 | Providing Information in Open and Structured Formats | | | |
| 36 | Ensuring Technological Usability | | | |
| 37 | Protecting Citizen Privacy | | | |
| 38 | Using Non-Proprietary Formats and Open-Source Software | | | |
| 39 | Allowing Downloadability for Reuse | | | |
| 40 | Maintaining Parliamentary Websites | | | |
| 41 | Using Easy and Stable Search Mechanisms | | | |
| 42 | Linking Related Information | | | |
| 43 | Enabling Use of Alert Services | | | |
| 44 | Facilitating Two-Way Communication | | | |

**Section Two: To evaluate the level of public participation in Parliamentary process**

45. Have you experienced any deliberate effort by Parliament or otherwise to reach out to you in your locality? **Yes [   ] No [   ] Can't Say [   ]**

46. Have you participated in any parliamentary event? **Yes [   ] No [   ] Can't Say [   ]**

47. Have you participated in any Committee public hearing? **Yes [  ]  No [  ] Can't say [ ]**

48. If you answered 'yes' in 46 & 47 above, were you allowed to make any submissions?

    **Yes [  ] No [  ] Can't Say [  ]**

49. If you answered 'yes' in 48 above, were you satisfied by the way the hearings were conducted? **Yes [   ] No [   ] Can't Say [   ]**

50. Do you think citizens should be properly and timely informed regarding the Parliamentary Agenda? **Yes [   ] No [   ] Can't Say [   ]**

51. If you are a Committee Clerk, what new method(s) of public engagement will you bring in to your committee that is not there presently? **Yes [   ] No [   ] Can't Say [   ]**

52. Do Parliamentarians have an important role to play in enhancing openness and participation? **Yes [   ] No [    Can't Say [   ]**

53. Will public involvement in parliamentary activities improve the quality of legislation? **Yes [  ] No [  ] can't say [  ]**

**Section Three: To examine the challenges of Parliamentary Openness in the National Assembly during the 8ᵗʰ Assembly**

54. What challenges did you observe the 8ᵗʰ Assembly faced, in respect to openness and public participation?

   a.................................................................. b....................................................................

   c.................................................................. c...................................................................

   d……………………………………………. e……………………………………...............

55. What           are           the           challenges           of           Open           Parliament?

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   ………………………………………………………………………………………………

56. Can parliaments overcome these challenges through her committees? **Yes [  ] No [  ] Can't say [  ]**

**Section Four: To recommend practical methods of enhancing openness and citizen engagement**

57. Citizens should be made able to understand the legislative process and functions of parliament, including parliament's rules of procedure, rules, and workflow? **Yes [   ] No [   ] Can't Say [   ]**

58. Being more open and engaging will help the National Assembly overcome the challenges of mistrust and opaqueness? **Yes [  ] No [  ] Can't say [  ]**

59. Can you suggest ways to enhance Openness and public participation?

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    ……………………………………………………………………………………………

    ……………………………………………………………………………………………

60. If you are the Speaker/Senate President or Clerk to the National Assembly, will you make changes to the current methods of public engagement in parliamentary activities? **Yes [  ] No [  ] Can't say [  ]**

61. What are the roles the public can play to enhance parliamentary openness?

    a.  ........................................................................................................................

    b.  ........................................................................................................................

    c.  ……………………………………………………………………………..................

62. Do you have any further information that you may want to share relevant to this research?

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