

PARLIAMENTARY SCRUTINY OF THE EXECUTIVE IN NIGERIA

BY

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ABSTRACT

Parliaments are institutions through which governments are held accountable to the electorates. To this extent, the scrutiny of the executive is perhaps one of the most important functions of any Parliament. A condition for the exercise of executive power in a constitutional democracy is that the executive is checked by being held accountable to an organ of government distinct from it. This function has become especially critical given the enormous powers wielded by executive arm of government in an era of growing concern for accountability and transparency. Frears was therefore right in acknowledging K. C. Wheare's phrase that the most important role of a modern parliament is 'making the government behave', and in that regard democrats usually look to parliament to ensure that the executive is kept under scrutiny and prevented from abusing its powers.

While this Parliamentary role is universally recognized and established in most nations' constitutions, it is a frequent source of friction and disagreement between legislatures and executives the world over. Young democracies especially those emerging from military dictatorship with a legacy of strong "top down" executive leadership struggle to determine the proper balance of power between the legislature and executive. In addition to the difficulties posed by a powerful and entrenched executive branch, legislatures in these situations are said to be often unsure of their privileges and lacking in precedence and technical know-how.

The 1999 Nigerian Constitution established a National Assembly that is designed to effectively and actively contribute to building and consolidating democracy. An important aspect of this democracy is that elected representatives of the people should oversee government actions and ensure that government remains accountable. Pursuant to this, the 1999 constitution gives full expression to this principle in providing for an exclusive power of investigation and scrutiny by the National assembly over the executive under sections 88 and 89.

It is against this background that this paper reviews the critical successes of the National Assembly in scrutinizing and monitoring the executive since inauguration in 1999. The paper assesses the challenges faced by the Parliament in the performance of this responsibility, as well as draws lessons and strategies for strengthening parliamentary oversight of the executive.