

# Enhancing Parliamentary Oversight for Effective Security Sector Reform in Democratic Nigeria

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## **Abstract**

The provision of the most essential public good – security in accordance with the will of the people is very germane to the consolidation of democratic governance. Though, the Nigerian state is set to inaugurate her 8<sup>th</sup> National Assembly on 9<sup>th</sup> June, 2015, the capacity of the nation's parliamentary body (National Assembly) to provide effective parliamentary oversight over the nation's security sector for the establishment of a democratic security forces is grossly deficient. In light of this, the objective of this paper is to explore how the Nigeria's parliamentary body can be energized in the performance of its oversight functions over the nation's security sector. The study employed the descriptive survey research method. It was revealed that the inadequate capacity of the parliamentarians in the performance of their oversight functions partly accounts for the incessant violation of the fundamental human rights of the people by the nation's security forces. Thus, it becomes imperative that the capacity of the nation's parliamentary body to carry out her oversight responsibilities be greatly strengthened. This, the paper posits can be achieved when there is a considerable improvement in the knowledge base of the parliamentarians on the workings of the entire security sector and the logic and methods of her performance of the oversight functions and a comprehensive review of the constitution with a view to freeing the security forces from the exclusive control of the presidency. The paper concludes that it is only when there is an effective parliamentary oversight over Nigeria's security agencies that the prevalent executive control over the sector can be moderated in line with democratic principles and practices.

**Keywords:** Democracy, Nigeria, Parliamentary Oversight, Security Sector Reform

## **Introduction**

The nature and character of a nation's security sector are critical to the establishment of democratic values and ethos in a polity. Largely, the logic of operation and responsiveness of the security sector of any nation is a function of the quality of control exercised by the representatives of the people over the sector. Put differently, the security of both the state and its population will be maximized to the extent that the security organisations are subordinate to democratically elected civil authorities (Ball & Fayemi, 2008:20). Indeed, the importance of a democratic security sector to the well-being of a nation cannot be over-emphasised. Nigeria's fledgling democratic experiment requires a security sector that is under the watchdog of a legislative body that is alive to the performance of its oversight functions over the nation's security forces.

It is important to note that one of the major constraints to achieving democratic security sector governance in Nigeria has been the inability of the nation's legislative body, the National Assembly, to effectively perform its oversight functions over the nation's security sector. This is largely due to the fact that the Presidency, rather than the representatives of the people, the National Assembly, is almost exclusively in control of the nation's security sector.

Though a series of efforts have been made by the leadership since the return to democracy in 1999, to make the Nigeria's security sector accountable, effective and responsive to the needs of the of the people, the security forces, particularly the armed forces and the police have largely been an instrument for regime security rather than an instrument for the promotion of human security. The truth of the matter is that "the ruling political elites replicated the instrumental approach of their colonial predecessors to state power and security forces continued to serve the interests of the ruling elites rather than the security requirement of the people (Bendix & Stanley, 2008:12).

Consequently, this paper seeks to address how the capacity of Nigeria's parliamentary body can be enhanced to promote her performance of her oversight functions over the nation's security forces. The paper, thus interrogates how the efficiency, effectiveness, transparency and accountability of the nation's security sector can be deepened within the framework of democratic control through the improvement of the capacity of the parliamentarians on the performance of her constitutional responsibilities. In other words, the paper argues that effective democratic control of Nigeria's security sector is realizable when the knowledge of the representatives of the people (parliamentarians), who are constitutionally saddled with the responsibility of making laws and providing oversight functions over the security sector is deepened and the civil society becomes active participants in the governance of the nation's security sector.

Against this background, this paper brings to the fore the factors responsible for the seemingly undemocratic tendencies and arbitrariness that characterize the Nigeria's security sector and the obvious ineptitude of the parliament in the performance of

its oversight functions in the management of the nation's security forces. In order to appreciate the developments that had contributed to the seemingly undemocratic character of the Nigeria's security sector and the very low capability of the parliament in the governance of the nation's security sector, a historical evolution of the Nigeria's security sector is provided.

Moreover, the paper examines what could be done to strengthen the capability of the nation's parliamentary body in the performance of its oversight functions in the management of the nation's security sector towards the establishment of one that is accountable, effective, efficient and responsive. In conclusion, the paper establishes the centrality of people's ownership and control of the nation's security sector to the consolidation of the ongoing democratization process in the country.

## CONCEPTUAL ANALYSIS

### Security Sector Reform

The security sector "encompasses all those state institutions, which have a formal mandate to ensure the safety of the state and its citizens against acts of violence and coercion and the non-statutory security actors which have emerged as important actors in the security network" (Ball & Fayemi, 2008: 9).

The security sector, according to the Organisation for Economic Cooperation and Development-Development Assistance Committee (OECD DAC) Guidelines on Security System and Governance Reform (2005) includes the following key elements:

- Core security actors: These are the armed forces; police; gendarmeries; paramilitary forces; presidential guards; intelligence and security services (both military and civilian); coast guards; customs authorities; and reserve or local security units, civil defense forces, national guards, militias).
- Security management and oversight bodies: These are the executive; national security advisory bodies; legislature and legislative select committees; ministries of defense, internal affairs, and foreign affairs; customary and traditional authorities; financial management bodies (finance, audit and planning units); and civil society organizations (civilian review boards and public complaints commissions).
- Justice and law enforcement institutions: These are the judiciary, justice ministries, prisons; criminal investigation and persecution services; human rights commissions and ombudsmen; and customary and traditional justice systems.
- Non-statutory security forces: These are liberation armies, guerilla armies, private body guard units; private security companies; and political party militias.

Therefore, understanding the security sector encompasses a broader range of state and non state security and justice actors. In other words, the security sector represents a whole range of actors (both state and non-state) who are involved in the operations and governance of the security forces and the individuals saddled with the management of the justice element of the security sector. Let us quickly point out that the need to clearly establish what constitute the security sector in this paper was informed by the misconception that the security sector exclusively includes institutions of the state that have monopoly over the use of force to protect both the state and the individuals, that is the military and the police.

The concept of security sector reform which was coined in 1999 by Clare Short, the former Britain's Secretary of State for International Development emerged as part of an international agenda to promote sustainable peace and development in societies in transition from violent conflict or prolonged authoritarian rule. (Short 1999, DFID 2000). It is a concept that has become very popular, largely because of the paradigm shift from the traditional state-centric understanding of security to what is widely referred to as the new security agenda-human security.

Broadly speaking, SSR refers to a variety of activities related to the reform of the institutions of the state charged with the provision of external and internal security with a view to promoting an efficient and effective provision of security for both the state and the individual within the framework of democratic governance. Thus, SSR is "a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the state and its peoples, without discrimination and with full respect for human rights and the rule of law." (United Nations, 2008a, para.17).

The Organization for Economic Cooperation and Development (OECD) defines security sector reform as "seeking to increase partner countries ability to meet the range of security needs within their societies in a manner consistent with democratic norms and sound principles of government, transparency and the rule of law. SSR includes, but extends well beyond, the narrower focus of more traditional security assistance on defense, intelligence and policing" (OECD-DAC, 2004:162). Tersely conceived, security sector reform involves a plethora of activities targeted at reconstructing the security system of a state with a view to promoting the provision of security for both the state and the society, in an efficient and effective manner, within the framework of a civilian democratic control. To that extent, SSR seeks to promote the following values and virtues in a nation's security sector:

1. Efficiency
2. Legality (Rule of Law)
3. Transparency;

4. Accountability;
5. Public trust;
6. Local ownership;
7. People centred and individual security;
8. Recognition of the gendered nature of security arrangement.

Thus, SSR seeks to transform a dysfunctional security sector with a view to making it efficient, effective and responsive. OECD-DAC aptly expresses this when it states that “security system reform is another term used to describe the transformation of the security system – which includes all the actors, their roles, responsibilities and actions-working together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance and thus contributes to a well-functioning security framework (Edmunds, 2002: 16).

### **Parliamentary Oversight**

Parliamentary oversight basically refers to the responsibility(ies) of the legislative arm of government to supervise, using its law making prerogative and its allied functions over, governmental institutions and bodies, to promote compliance with constitutional provisions and good governance. The legislature exercises parliamentary oversight by making laws that define and regulate the activities-mandate, operations and finances-of state institutions and agencies for the achievement of the collective goal(s) of the state.

To that extent, parliamentary oversight of the security sector refers to “the role of the parliament in passing laws that guide, regulate and define the various agencies of the security sector including their powers and functions. The Parliament can also summon heads of security agencies to account for their activities without intruding into operational matters (WASCI et al., 2009:169).

### **Democratic Governance**

This concept of democratic governance has come to dominate socio-political discourse globally, following the waves of protest against authoritarianism. It is a phrase that has become a mantra employed by regimes to characterize their administration with a view to engendering international recognition and command respect among the comity of nations. Little wonder, the idea has attracted the attention of scholars from diverse intellectual orientations and disciplines.

It is instructive to point out that the concept of democratic governance brings together two international development terms: Democracy and Governance. (WASCI et al, 2009:112). In order to deepen our understanding of the concept, we should separately examine them, starting with democracy. Democracy is defined “as a system of governance

in which rulers are held accountable for their actions in the public realms by citizens, acting indirectly through the competition and cooperation of their elected representatives (Schmitter & Karl, 1988:76). A political scientist captures this when he states: "... in spite of the differences in conceptualization, and practices, all versions of democracy share one fundamental objective: how to govern the society in such in way that power actually belongs to the people" (Osaghae, 1995). Essentially, democracy is a governance system where the ultimate power as to what should be and what should not be, in respect of the management of the affairs of the society, resides with the people through their elected representatives.

Governance, according to the World Bank, is "the exercise of political authority and the use of institutional resources to manage society's problems and affairs" (cited in Conflict Prevention Resource Pack, 2009: 111). It is the management of both the human and material resources of an organization or a state with a view to accomplishing the collective goal(s) of the organization or the state. Thus, 'democratic governance' by inference implies the art of governing people in line with the tenets of democracy ( Babawale, 2007:47). A society is democratic in so far as the public can play a meaningful role in managing their own affairs (Chomsky, 1991:12).

Consequently, democratic governance of the security sector implies the participation of the people, through their elected representatives, in the management of a nation's security system. Central to the idea of democratic governance are: the principle of popular participation and the principle of public accountability of the leadership. Given this, a democratic security sector is one that is accountable and responsive to the people.

### **An Insight into the Governance of the Security Sector in Nigeria under Military Regimes**

The security sector in Nigeria, according to (Fayemi & Olonisakin, cited in Bryden, et al. [eds], 2008 :245) comprises the following: The armed forces (army, air force and navy of approximately 77,000 personnel); the Nigerian police service (of about 360,000 men and women – increased in 1999 from the initial size of 120,000); paramilitary bodies including customs and excise, the immigration service, the intelligence services-including military intelligence and the state security service; judicial and public security bodies – judiciary, justice ministry, correctional service (prisons); private security outfits; militia groups – including, for examples, the Odua People Congress, Bakassi Boys, Hizba Corps and community vigilante groups.

It should be noted that the character of the nation's security sector has largely been a reflection of the character of the regime in power as well as the mindset and composition of its leadership. For example, the country's security sector under the late General Sani Abacha military government (1993-1998) was an instrument of terror. Essentially under the military, the Nigeria's security sector was exclusively under the control of the head of State whose primary interest was to secure his regime and prevent take-over of his regime

through another military coup. To that extent, the security forces were governed without recourse to the rights of the people and their inputs in its workings.

Following its return to democracy in 1999, Nigeria, especially under the leadership of Olusegun Obasanjo, had endeavored to transform the security sector of the nation ostensibly in line with democratic norms, principles and practice. However, Obasanjo's efforts at reforming the nation's security sector were largely directed at enhancing professionalism at the expense of the governance segment of the SSR project. Consequently, it is compelling that the nation's security sector which is largely characterized by governance deficits be completely transformed to achieve the much desired people's ownership of the nation's security sector. This was acknowledged by experts in security sector reform when they argued: "the nation's security sector is in dire need of reform cum transformation to become supportive of the fledgling democratic process ongoing in the nation" (Fayemi & Olonisakin, 2008: 246)..

Before the enthronement of civil rule in May, 1999, Nigeria had a long period of military rule which, characteristically, had profound negative effects on all facets of the nation's life. Predictably, the nation's security sector was mostly affected as it became very ruthless and was violating the citizens' fundamental human rights with impunity. Specifically, the protracted military interventions in the nation's political life grossly undermined the evolution and development of democratic values, ethos, principles and practices in the nation's polity.

It is given, "military rule compromised state adherence to the principles of good governance, respect for human rights, administrative justice and rule of law" (Aning & Lartey, 2009:1). In Nigeria, the long period of military rule witnessed the near complete breakdown of security sector governance in the country, including massive human rights violations, destruction of spirit de corps in the military, corruption and truncation of democratic agendas. Indeed, it fostered on the nation the culture of violence and arbitrariness.

Apart from the undemocratic character of the military which underlines its governance of the Nigerian state before the enthronement of civil rule in 1999, it is important to point out that two forces had profound negative effects on the Nigeria's security sector. These were the annulment of the June 12, 1993 presidential election and the ruthlessness of the Abacha military government (1993-1998).

The annulment of the June 12, 1993 presidential election, believed to have been won by the Late Chief M.K.O Abiola, a Yoruba from the Southwestern part of Nigeria, by the Babangida-led military government, largely triggered the formation of the Odua People's Congress (OPC), an ethnic militia group. The Yoruba of Nigeria saw the annulment as a Hausa/Fulani agenda meant to deny a Yoruba man from ruling the nation. Essentially, OPC emerged to defend the interest of the Yoruba people following real and perceived injustice meted out to the Yoruba people by the Hausa/Fulani-led leadership of the Nigerian state.

In a nutshell, the failure of the state to respond to deep seated issues of social and political exclusion accounts in part for the creation of the OPC (Fayemi & Olonisakin, 2000:246).

After the emergence of the OPC, other ethnic groups were motivated to set up their own regional ethnic militias. Some of these are the Egbesu Boys and the Niger Delta militia groups. These non-state armed groups inevitably became stakeholders in the security sector network of the Nigerian state. The emphasis here is that the annulment of the June 12, 1993 presidential elections triggered the emergence of violent non-state security forces.

Expectedly, this development gave birth to in a new and disturbing epoch both in the governance and the operation of the nation's statutory security forces. With the emergence of various ethnic militia groups in Nigeria, the already challenging security situation and security sector governance became worse. Extra-judicial methods, more often than not became the operational principle adopted by the statutory security bodies to address the challenges posed by the various ethnic militia groups. Naturally, this culminated in blatant violation of the fundamental rights of the citizens by the statutory security forces, on the one hand, and citizens' distrust and lack of confidence in the State, on the other hand.

Following the annulment of the 1992 presidential election and the attendant crises, an interim administration headed by Ernest Shonekan was set up by the departing military government of Gen. Ibrahim Babangida. Barely three months after the imposition of the interim government on the citizens, the military, led by Late Gen. Sani Abacha, struck again and removed the interim government headed by Chief Ernest Shonekan.

The Abacha government came on board at a time Nigerians were eagerly looking forward to a government that would right the wrong done by the Babandiga regime. Rather than putting things right, Abacha government took on the pro-democracy activists who largely operated under the umbrella of an organization known as the National Democratic Coalition Organisation (NADECO). The Abacha government was characterized by state sponsored killings and gross human rights violations. In fact, the government was alleged to have set up a killer squad which was responsible for the killing of notable pro-democracy activists including the wife of the presumed winner of the 1993 presidential election, Kudirat Abiola.

Following this development, the people's animosity towards the nation's security forces, especially both the police and the military, deepened. It became so bad that an average Nigerian could not rely on the nation's Police Force for domestic protection. Rather, Nigerians would generally call on their regional ethnic militia group for assistance. In short, there was very low level of trust and confidence in the nation's statutory security forces by the generality of the people. In fact, the general perception about the nation's statutory security sector was that the state's security forces were instruments of oppression in the hands of the Presidency who had absolute control over the nation's statutory security forces.



### **Civil Rule and Security Sector Governance in Nigeria-1999-2012**

The 1999 Nigerian Constitution spells out the powers and responsibilities of the three arms of government. The Constitution gives tremendous powers to the executive to the detriment of the other arms of government, namely, the legislative body and the judiciary. The reason for this development is not far-fetched. Expectedly, the Constitution was a reflection of the nature and character of military regimes which largely is configured to perform absolute executive functions. The executive functions performed by the military rulers are set to be absolute because the powers are exercised within the context of a non-existent legislative body and almost completely subordinated judiciary. .

In the 1999 Constitution of the Federal Republic of Nigeria, the management and control of the security sector is almost exclusively vested in the Presidency. Though, the powers for making laws to regulate the operations of the security sector reside with the National Assembly, in concrete terms, power lies with the Nigerian President. The 1999 Constitution states in; Section 218(1) that: the powers of the President as the Commander-in-Chief of the armed forces include the power to determine the operational use of the armed forces and Section 218 (4) states: the National Assembly has power to make laws regulating (a) the powers of the President as Commander-in-Chief of the Armed Forces; and (b) the appointment, promotion and discipline of members of the Armed Forces.

The point here is that “under the 1999 Constitution, responsibility for defense and security – the armed forces, police and prisons-resides with the central (federal) government on the exclusive legislative list” (Fayemi & Olonisakin, 2008: 246). Even in the justice sector, which is in the concurrent legislative list, the nation’s apex court – the Supreme Court – is still largely not immuned from the control of the presidency. This is so because the Presidency appoints the judges who serve at the apex court, though those nominated must be approved by the National Assembly. The reality is that the Presidency wields enormous powers not only over and above the legislative body but also over the judiciary.

It is evident that the Presidency has overwhelming influence and control over the governance of the nation’s security sector. Fayemi and Olonisakin aptly express this thus: “It is this centralization of security decision-making in the presidency that has defined the working of the security sector in Nigeria” (Fayemi & Olonisakin, 2008: 247). Little wonder, the nation’s security sector is rabidly committed to the Presidency and the security of the regime in power rather than the security of the state and the individual citizens.

This perhaps explains why the Nigeria police was deeply involved in the rigging of both the 2003 and 2007 general elections held under Obasanjo presidency. The Nigeria Police in alliance with Independent National Electoral Commission, INEC, massively rigged the general elections in favour of the president’s party, the People’s Democratic Party (PDP). This, also was the case under the Shehu Shagari’s administration (1979-2003) when the Nigeria Police became almost the military wing of the president’s party, National Party of Nigeria, (NPN).

The National Assembly has constitutional mandate to make laws to promote good governance and the rule of law in the nation. Furthermore, the nation's legislative body is vested with the powers to carry out oversight functions over governmental institutions and bodies to ensure that they are not only governed in accordance with democratic principles and values, but also to promote collective interest. With respect to the nation's security sector, the National Assembly has not adequately performed her responsibilities, especially her oversight functions. This is due to a plethora of forces hampering the parliament from carrying out her oversight functions over the nation's security sector. .

### **Challenges to Effective Parliamentary Oversight over Nigeria's Security Sector**

After about fourteen years of democracy in Nigeria, the rating of the legislative body (the National Assembly), in terms of the performance of its oversight functions and governance of the nation's security sector is still very low. Some of the factors responsible for this very poor performance rating would be examined

The first factor is the origin and character of the 1999 Nigerian Constitution. The Constitution was imposed on the citizenry by the military regime of Gen. Abdulsalami Abubakar who handed over the reign of power to the democratically elected government of Olusegun Obasanjo on May 29, 1999. The Constitution in section 1(2) states: Nigeria must not be governed in any other way except as stated in the constitution.....<sup>25</sup> Unfortunately, the Constitution which is the ultimate legal instrument on which the entire democratic processes rest does not sufficiently represent the wishes and aspirations of the generality of Nigerians. For example, the provisions of the Constitution that deals with the governance of the security sector are largely reflective of the governance model which typically characterized military administrations.

Linked with the first factor is the fact that the 1999 Nigerian Constitution gives the Presidency almost absolute control over the defense and security sector without serious consideration to the legislative body which, all things being equal, constitutes the eyes of the people in the governance process. The lack of a clear pronouncement in the constitution on the issues of the military's accountability to the people and their elected representatives poses another set of challenges (Fayemi & Ndiaye, 2008). In other words, the 1999 Nigerian Constitution, does not sufficiently empower the National Assembly to effectively check the excesses of the executive arm of government, especially with respect to the control and governance of the most critical domain of State power – the security sector.

Moreover, the idea of party supremacy rather than the supremacy of the people's will, which is gradually becoming the working principle of the ruling party, the PDP, is counter-productive to the enthronement of the will of the people in governance issues not only in the security sector but also in the entire spectrum of the nation's life. The crisis that has engulfed the Nigerian Governor's Forum (NGF) following the chairmanship election

of the Forum, is a typical example of how the idea of party supremacy could constitute a hindrance to effective representation by the elected representatives of the people.

The crisis was a fall-out of the failure of the then ruling party, the PDP to get the choice of the party's leadership elected to head the Nigerian Governorships' Forum. The ruling party, the PDP in their party's Governors' Forum decided to support Governor Jonah Jang of Plateau State for the Nigerian Governors' Forum chairmanship election against the incumbent, Governor Rotimi Amaechi of Rivers state, who then was also a member of the PDP. At the end of the Nigerian Governors' Forum chairmanship election, the incumbent, Governor Rotimi Amaechi of Rivers State won with 19 votes to Jonah Jang's 16. Interestingly, some of the governors of the People's Democratic Party insisted that Jonah Jang of Plateau state was the winner, apparently latching on to the decision reached at the party's caucus meeting to support Governor Jonah Jang against Governor Rotimi Amaechi. Thus, giving the impression that the decision of the party is supreme and above outcomes of a free, fair and credible election.

Thus, political party loyalty and discipline takes priority over and above respect for and adherence to democratic values and principles. Parliamentarians, more often than not, are unwilling to challenge the executive who is a member of their party for personal and political reasons. And, so, the parliamentarians lack the political will to even use the limited powers and oversight functions at their disposal constructively because of the fact that the executive (President and Governor) controls the machinery of the party as the leader of the party. Consequently, the parliamentarians act more like a rubber stamp of the executive rather than as representatives of the people.

The concern here is that if the elected representatives of the people are that timid in the expression and exercise of their mandate in less sensitive matters, then it becomes extremely difficult, if not impossible to effectively express the wishes of the people in very sensitive matters such as defense and security related matters. The truth of the matter is that if parliamentarians lack the will to exercise their oversight functions on seemingly less sensitive matters then they will bring neither their authority nor their ability to bear on sensitive and critical matters (Ebo & Ndiaye, 2008:72).

It is noteworthy that the lack of will power and courage often exhibited by the National Assembly members is largely a function of the lack of integrity that characterizes the performance of their oversight functions. A very good example was the issue of \$620,000 allegedly collected as bribe from the chairman of Zenon Oils, Mr Femi Otedola by Mr. Farouk Lawal, the chairman of the investigative panel set up by the Nigeria's House of Representatives to probe the Federal Government's subsidy payments to various oil marketing companies. The point here is that because the buck of the membership of the National Assembly are people of very low moral standards, they easily compromise and thus make it difficult for them to effectively carry out their legislative oversight functions.

Furthermore, the ability of the Nigeria's legislative body to perform its oversight functions over the nation's security sector is considerably limited by the lack of expertise

of the parliamentarians on security related issues. The extent to which parliament's powers "materialize in practice will depend very much on the actual ability and determination of parliament to exercise them" (Hutchful, 2004:8). Though the bulk of the members of both the Senate and the House of Representatives joint committee on defense, Army, Police affairs and National security and intelligence are educated, the reality is that any of them lack the requisite expertise in security related matters to effectively carry out their oversight functions over the nation's security sector.

Essentially, with respect to the Nigeria's legislative body, appointments to the various legislative committees including the security and defense committee are made on patronage rather than on merit. Thus, the quality of debate and contribution at various committees are largely shallow and unproductive. When legislators with a measure of knowledge on security and defence related issues are appointed as members of security and defence committees, they are usually retired police and military personnel who, by virtue of their training are more at home with the operational mechanisms, rather than the governance aspect of the security sector reform.

Similarly, the parliamentarians, more often than not, lack the necessary information to effectively carry out its oversight and functions. Actually, the bulk of the data often used by the parliamentarians to perform their legislative and oversight functions are generated by the executive arm of government. This is unhealthy. The chances are that the executive arm of government will not supply accurate data to the legislative body, especially if provision of accurate data would indict them and expose their corrupt practices.

Central to the obvious governance deficit that characterize the Nigeria's security sector, is the near absence of dialogue between the representatives (the National Assembly) and the civil society. In Nigeria, the avenue for dialogue between the political class and the people is almost non-existent, except during elections. More often than not, the electorates are oblivious of the identity and character of their representatives in the nation's legislative body (the National Assembly).

Thus, it is difficult for the views of the parliamentarians to be in tandem with those they claim to represent. Often, the 'Representatives', who, in most cases, are products of flawed electoral system, are clearly embodiment of the values and practices that the people they claim to represent abhor. Little wonder, policies and programmes often embarked on as 'dividends of democracy;' are more often than not, inappropriate to satisfy the yearnings and address the challenges of the people.

The civil society organizations that are supposed to serve as the watchdog of the government and articulate the feelings of the people on governance issues lack the requisite knowledge on security related issues and thus are clearly incapacitated from carrying out advocacy function that could facilitate the passing of relevant laws and enhance parliamentary oversight over the nation's security sector. The reality of the situation is:

African CSOs have been reluctant, as well as unequipped, to influence security policy and oversight. The problem is minimized by the relative rarity of African research institutes specializing in security issues... (Hutchful, 2003:38).

In Nigeria, despite about fourteen years of uninterrupted democratic experience (1999-2013), only very few civil society organizations are actively engaged in advocacy and training on security – related issues. Consequently, the civil society organizations are seriously deficient in galvanizing the political class to pursue policies and programmes that could enhance the promotion of democratic governance of the Nigeria's security sector.

### **Strengthening Parliamentary Oversight of the Nigeria's Security Sector**

A legislative body that is well-informed, pro-active and courageous in the performance of its oversight responsibilities to the achievement of effective and democratic security sector governance and the consolidation of the Nigeria's fledgling democratic processes is highly significant. It has been argued:

The nation's growth depended on how well the legislature did its job. The legislature must have a clear understanding of its role and have the courage to pursue those objectives whatever the pressures from within or out. For any of that to happen, it must have the capacity to think independently, to understand complex issues of governance and policies, and to be capable of verifying information through its own sources. The legislature cannot grow or talk about independence if it relies solely for other branch to supply its information. It must insist on participating in the process and not develop a syndrome of automatically approving or endorsing a policy without objective assessment. The legislature has firsthand knowledge of the need of the people and must be at the forefront, making sure those needs are met (Punch, 2003:29).

In light of the above, coupled with the reality of the lack of capacity of the National Assembly to perform its legislative functions and carry out effective parliamentary oversight on the nation's security sector, the question that looms large now is: how can we re-invent the Nigeria's legislative body towards effective parliamentary oversight of the security sector?

Given the challenges confronting effective parliamentary oversight of Nigeria's security sector and the imperative of people's ownership of the security sector to the consolidation of the nation's democratic process, the re-invention of the nation's legislative body to enhance the performance of its oversight functions over the nation's security system becomes critical.

### **Re-Inventing the National Assembly for Effective Parliamentary Oversight of the Nigeria's Security Sector**

There is the need for a comprehensive review of the 1999 Nigerian Constitution with a view to establishing people's ownership of the constitution, on the one hand, and to making comprehensive constitutional provisions for effective parliamentary oversight over the nation's security sector, on the other hand. This exercise should be carried out with active participation of all the stakeholders, with the civil society playing a pivotal role.

It has been observed by experts in SSR, especially by those that are involved, in SSR projects in countries in Africa that a first step to addressing the challenges confronting effective preliminary oversight of the security sector "lies in developing a clear picture of the actors and mechanism implicated in the governance of the security sector and delineating clear roles and duties (Fayemi & Olonisakin, 2008: 337). The 1999 Nigerian constitution, as it were, is weak with reference to parliamentary oversight of the security sector. Therefore a comprehensive constitutional review is needed to legally back the reforms to deepen the capacity of the National Assembly in carrying out its parliamentary oversight functions over the security sector.

The electoral system should be re-invented in Nigeria with a view to promoting free, fair and credible elections for an emergence of true and authentic representatives of the people. The reality of the situation is that the bulk of the current members of the national legislative body got 'elected' on the basis of questionable, flawed and controversial elections. This accounts for legion of election-related cases witnessed in various courts whenever general elections are held in the country. Given the fact that the Nigeria's judicial system is not immune from the corruption of the larger society, the true winners of these election more often than not, are sacrificed. Consequent to this, many of the members of the National Assembly cannot be said to be authentic representatives of the people.

This, perhaps, explains the uncooperative relationship and the wide gap between the mass of Nigerians and the "elected" representatives. For the views and positions of the representatives to align with the aggregate view of and aspirations of the electorate, there must be a regular dialogue between the representatives and the electorate. It is only when this is established that legislation and performance of parliamentary oversight functions, whether in the security sector or any other areas of the nation's life, can truly advanced the wishes and aspirations of the generality of the people.

The critical place of political party's internal democracy to the emergence of the true representatives of the people and the entire electoral system should be emphasized. As it were, virtually all the political parties in Nigeria lack internal democracy. Thus, candidates often presented for general elections emerged not through democratic process but through outright imposition by the godfathers. This point here is that there is the urgent need to re-invent the nation's political parties with a view to promoting the values

of internal democracy and the rule of law in their processes. This would go a long way to restore public trust and confidence in the nation's electoral system.

The quality of parliamentary oversight is also dependent on the knowledge and expertise of members of the legislative committee on defense and security-related issues. "Generally, the ability of the parliament to oversee the security sector is influenced by time factors and the level of expertise and information available to it (IPU-DCAF, 2003: 73). The truth is that "there is a serious shortage of individuals well versed in security matters within oversight bodies in most African countries (Ball & Fayemi, 2008:51). Thus, we should vigorously pursue programmes of deepening the knowledge of the parliamentarians on security related issues with a view to enhancing the performance of their oversight functions over the sector

There is the need for the National Assembly to establish its own independent network or machinery through which requisite information and data about the activities of the various governmental Ministries, Departments and Agencies (MDAs) could be generated. Relying on information and data provided by the MDAs the parliamentarians are supposed to monitor is not only unhealthy but can also be counterproductive. Undoubtedly, the current practice where the bulk of the information required by the legislative body to perform its oversight functions is provided by the Presidency through the Ministries, Departments and Agencies (MDAs) has been one of the reasons for the ineffectiveness and inefficiency of the legislative body in the performance of its legislative oversight functions. This is because the MDAs are more disposed to supplying inaccurate information, ostensibly to either impress the National Assembly of good performance or to attract the sympathy of the legislative body for increased budgetary allocation.

There is the need to ingeniously and constructively deepen the level of people's participation in the governance of the security sector in particular and the whole process of governance in general. Good governance, whether of the security sector or any sector of a nation's life, depends in large part on active community participation. The level of people's participation, especially at the local level, in the governance process is still very low. This can be attributed in part to the failure of the Nigerian state to meet the basic needs of the mass of the people.

Consequent to the failure of the state to meaningfully serve as a vehicle for improved standard of living, the mass of the people rather than participate in what operates in the 'civic public', they invest their energies and resources in promoting what has to do with their primordial public – advancing the course of their ethnic associations. Against this background, it is imperative that conscious efforts be made to galvanize the citizenry to be interested in what obtains in the civic public realm – the arena of the state. This can be achieved through improved service delivery by the state and mobilization programmes anchored by credible leadership of civil society organizations.

## CONCLUSIONS AND RECOMMENDATIONS

The paper establishes that the prevalent governance deficit that characterized the Nigeria's security sector is largely a result of the inability of the National Assembly to effectively carry out its oversight functions on the nation's security sector. It is argued that the lack of capability of the Nigeria's legislative body (National Assembly) to effectively exercise its mandate over the nation's security sector is as a result of a plethora of reasons which include: the crisis of ownership of the 1999 Nigerian Constitution, the lack of credibility of the nation's electoral system, the lack of knowledge and expertise of the legislative body on the security sector, the character of the political class and the disdain of the mass of the people for what obtains in the civic-public realm.

It is noted that the crisis of performance bedeviling the Nigeria's legislative body with respect to its oversight responsibilities was deepened by the prebendal nature of the nation's politics. The political class sees public office as an opportunity to enrich self and cronies rather than deepening democratic values and ethos and advance collective national interest. Consequently, the control of the security sector for personal interest rather than for public good becomes critical.

Given that security reforms go to the heart of sovereignty, local ownership of such reforms seems even more compelling. The paper concludes that addressing the factors responsible for the inability of the nation's legislative body to effectively perform its oversight functions over her security sector is critical to the promotion of a security sector that is accountable, responsive and effective.

The paper concludes that a re-invigorated civil society is needed to galvanize the mass of the people to be actively involved in the nation's political process so as to influence the decision-making process and consequently deepen the democratization of the nation's polity. Unequivocally, "deepening democracy is a core requirement for building an accountable and transparent state and achieving effective security sector reform (Fayemi & Olonisakin, 2008: 266). Greater participation of the mass of the people in the business of governance will not only make policies more responsive to the concerns, yearnings and aspirations of the people. It would also improve the performance of the various state institutions, including the parliament, especially in its oversight responsibilities.



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