Position Paper:

The Nigerian National Assembly
as a
Driver of Pro-Poor Change

SECTION I

Executive Summary

When identifying potential drivers of pro-poor change in Nigeria, it is important to recognize that change depends on the capacity of societal actors to demand poverty alleviation, and the capacity of public officials to supply appropriate reforms. In many ways, Nigerian civil society and the public at large is "ahead" of the political elite on issues of pro-poor reform, but informal structures in Nigerian governance block these groups' access to political and policy processes. From the "supply" side of pro-poor reform, the Nigerian National Assembly has both substantial potential to be an effective political forum for civil society to press for pro-poor change, but also the formal authority to help drive this change forward. This is not to minimize the substantial challenges that face the Assembly as an institution – informal and inherited structures govern much of the Assembly's behavior and there are institutional weaknesses that must be ameliorated if the Assembly hopes to help drive pro-poor reform. However, political incentives and constituent expectations could converge with other factors to facilitate such pro-poor actions as oversight of the executive, legislative policy development and pursuit of resources and development to their districts.

This position paper identifies four potential roles for the National Assembly in driving pro-poor reform. First, in light of Nigeria's natural wealth, many of the problems associated with pro-poor change stem not from the need for income generation, but from inefficient allocation and distribution of resources. The Assembly's involvement in resource allocation could allow it to intervene in budget processes in ways that promote pro-poor policies. Second, the Assembly can help to establish an enabling environment for pro-poor growth – both in the passage of pro-poor laws and amendments, and in the provision of a public platform for civic groups seeking pro-poor legal and administrative reform. Ensuring fiscal accountability in both the public and private sectors is a third potential role for the Assembly in promoting pro-poor change. Corruption remains a substantial obstacle to successful reform in Nigeria; the Assembly can combat this by promoting proper budgetary expenditures both through its direct oversight role, and by providing external accountability agencies, such as the Auditor General, with a political forum in which to report misuse of funds. Lastly, the Assembly can facilitate evaluation of the impact of government programs on the poor through hearings and by receiving feedback from their constituencies.

There are, however, a wide range of factors adverse and conducive to Assembly-led pro-poor reform. This report enumerates the most important factors, grouped according to historical context, factors internal to the Assembly, and factors relating to the Assembly's relationship with external actors. Among the most important historical factors discussed in this position paper are: 1) regional and ethnic power structures and resource distribution as a means of addressing geographic accommodation 2) a tradition of accessing state resources as the primary means for accruing wealth and 3) concentration of authority and habitual top-down management. Despite these negative historic legacies, a number of positive factors have emerged in recent years. The loosening of restraints on personal freedoms and political opposition has allowed incremental progress in checking previously unfettered private access to public resources by patronage networks. Moreover, increased political competition has created limited incentives for oversight and the assertion of legislative independence.

This report also describes a number of institutional factors that have hindered the Assembly's ability to drive pro-poor change. Political parties with little issue-differentiation reinforce the influence of informal networks within the Assembly. Despite the centralized authority of Presiding Officers, discontinuity in leadership has diverted attention and resources from other legislative business. Because the committee system serves as a means of distributing allowances and benefits, it has become bloated and fragmented. Respect for Standing Orders and Assembly procedures is still evolving, and, although the Assembly has significant resources at its disposal, its staff capacity and infrastructure remain limited.

Despite these obstacles, the Assembly is one of the most accessible government institutions in Nigeria and interacts with a range of external actors. Although its relationship with the executive has been troubled and at times counterproductive, it has provided a meaningful check on executive power and eroded some of the historical legacy of centralized leadership. Interaction with civil society and the private sector through formal structures has been limited, but civil society has developed their advocacy skills over the past four years and there are numerous opportunities for increasing the quality of interactions between the Assembly and civic groups. Interaction with the press is similarly problematic, yet there are examples where positive media coverage of Assembly action has contributed to the Assembly's ability to get executive concurrence on reform legislation. Further, the existence of real pressures and incentives for members to provide for their constituents has the potential to be utilized in pushing for pro-poor change.

An analysis of these factors yields several key points of entry to strengthen the Assembly's ability to lead pro-poor change. First, the position of the Assembly in the Nigerian political system provides a means to affect a web of other actors. While civil society is increasingly capable of demanding change, political elites have not yet responded sufficiently. As an intermediary political institution, the Assembly is well positioned to provide access to civic demands for reform to the political process. Budget monitoring also provides an entry point. Political competition motivates the Assembly to know how the executive is distributing resources, creating incentive for oversight – a critical aspect of addressing issues of corruption in Nigeria. The demand from constituents for anti-poverty measures and the distribution of resources is a third entry point for change. Finally, given the weak formal structures in the Assembly, groups of individual reformers, with tacit support from leadership, can have substantial impact. There appears to exist, both in the past Assembly and in the current class, a critical mass of individual reformers to have an impact on pro-poor reform, if linkages among them are adequately facilitated and supported.

To take advantage of these entry points, this position paper recommends several catalytic processes to move forward the potential of the Assembly to lead pro-poor reform. In the short-term, it is important to identify motivated individual within the Assembly, facilitate coordinated action among them, seek leadership buy-in, and move a targeted pro-poor agenda through the institution. It is also possible to use the window of opportunity at the beginning of the legislative session to lead a process of institutional reform that will facilitate pro-poor change over the medium- and long-term. Specifically, institutional reform would need to include rationalization and strengthening of the committee structure – increasing the committees' ability to monitor budget expenses and pro-poor impact of government policy and increasing the committees'

ability to provide a platform for civic and other groups to place pro-poor change issues on the political agenda. This could be buttressed by targeted technical assistance with constituency services to further develop member incentives to deliver resources and pro-poor development to their districts. In developing political will and buy-in to further these catalytic processes, the position paper recommends a series of additional consultations, as well as utilization of the post-election window of opportunity to support a strategic planning process with the leadership of the new Assembly.

SECTION II

Scope and Methodology

This position paper expands on and illustrates factors treated in NDI's drivers of change inception report (submitted April 17, 2003) and its adjunct to the inception report (submitted May 9, 2003). This paper also includes relevant insights from inception reports for other domains within DFID's Drivers of Change project. For example, the report includes comments on how past factors might have, but did not, lead to institutionalization of an independent legislature capable of driving pro-poor change. Finally, this paper suggests potential points of entry for optimizing incentives and aligning current factors conducive to the development of the Assembly as an agent of pro-poor change, and recommends steps to be taken to identify a strategy for capitalizing on these points of entry.

The paper draws on observations made by Nigerian partners since 1999, its experience providing technical assistance to the Assembly and civil society during this period, and its two decades of experience assisting legislatures in new democracies around the world. NDI conducted key informant interviews with Assembly Members and staff, government officials, economists and policy analysts, constitutional and political analysts, professionals engaged with the private sector, civil society leaders, journalists, and authors of inception reports for several other drivers of change domains. NDI also reviewed selected press releases and articles from 1999 to date. Although a majority of the research conducted relied on primary sources and personal interviews, a list of secondary sources consulted is available on the report's final page.
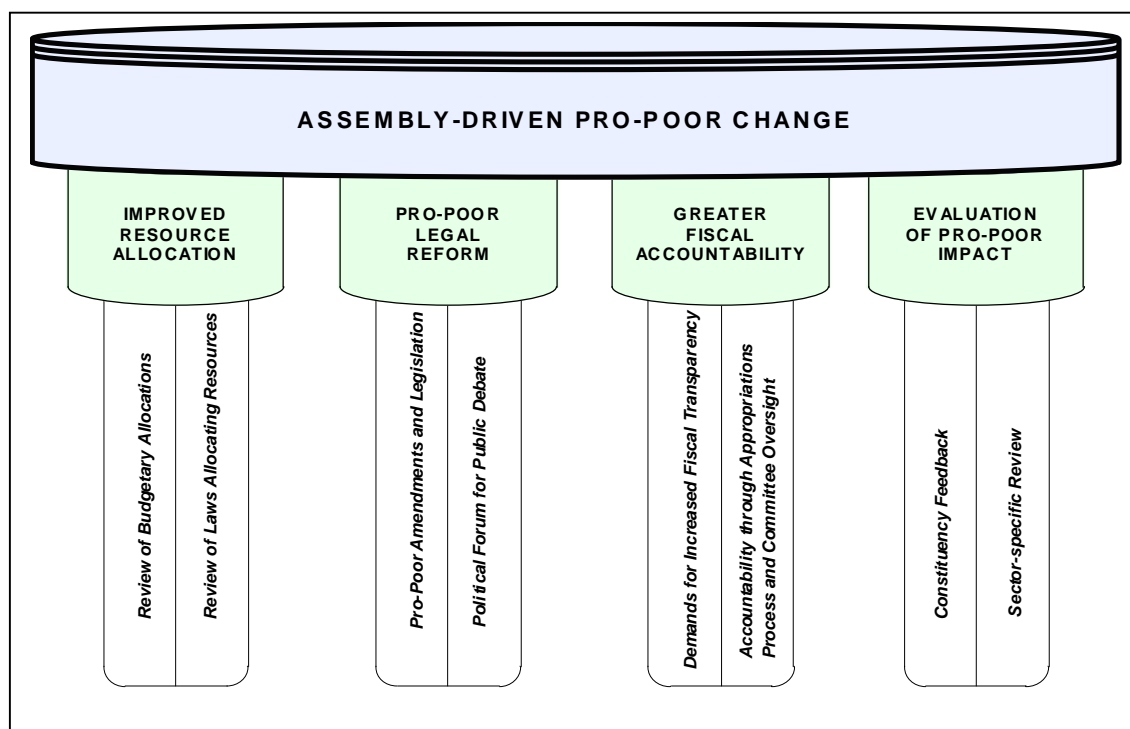
The inception report and this paper were prepared in the period immediately preceding and following recent elections to the Assembly, and this understandably made it difficult to confer with Members. Recommendations for further exploration include additional in-depth consultations with Members and evaluation of the ways in which the results of the April 2003 elections to the Assembly might realign factors over the next four years.

Comments on ways in which informal networks adversely influence the Assembly are noted without attribution. Most of the opinions expressed have also been reported in the press. Nonetheless, these comments are anecdotal, and NDI has not investigated or verified the validity of the assertions. However, perceptions in politics matter; it is important to consider this anecdotal information because it reflects perceptions and considered opinions of observers within and outside the Assembly. All sources for this paper are impressed by the Assembly's successful initial efforts to demonstrate that it can be a check on the executive. In most other respects, sources are very critical of the Assembly and its Members. NDI has, however, had the privilege of working for four years with diligent Members who do serve the nation well, despite considerable challenges. NDI is participating in the Drivers of Change project to help identify ways in which these motivated Members and others can contribute most effectively to the development of the Assembly as an instrument in achieving pro-poor change.

SECTION III

Pro-Poor Roles of the Nigerian National Assembly

The National Assembly has the potential to play a significant role in national poverty reduction efforts. Vested with both legislative and budgetary authority, the Assembly is constitutionally able to pursue its own legislative agenda and negotiate with the executive regarding budget allocation or expenditure. As the representative branch of the federal government in a country with (geographically reinforced) ethnic diversity, the Assembly also offers a representative venue in which to debate national priorities and solutions. From 1999 until 2003, the Assembly repeatedly demonstrated an intention to maintain its independence from the executive, a stance that could eventually foster the democratic checks and balances to reduce misallocation of resources.[1] In order to produce pro-poor reform, civil society members demanding pro-poor change must reach and be heard by governmental actors capable of developing pro-poor policy. The position of the Assembly in the Nigerian political economy allows it to potentially play a crucial role in helping bridge the "demand-side" and the "supply-side" of the pro-poor equation. The Nigerian National Assembly has the potential to play a pivotal role in the pursuit of pro-poor change.[2]

ASSEMBLY-DRIVEN PRO-POOR CHANGE

IMPROVED RESOURCE ALLOCATION	PRO-POOR LEGAL REFORM	GREATER FISCAL ACCOUNTABILITY	EVALUATION OF PRO-POOR IMPACT
Review of Budgetary Allocations / *Review of Laws Allocating Resources*	*Pro-Poor Amendments and Legislation* / *Political Forum for Public Debate*	*Demands for Increased Fiscal Transparency* / *Accountability through Appropriations Process and Committee Oversight*	*Constituency Feedback* / *Sector-specific Review*

---

[1] The World Bank's 2002 World Development Report notes that while legislative bodies have little capacity to prevent deficit spending, nations with adequate institutional checks and balances were more likely to enforce country-specific financial regulations and policies.

[2] Pro-poor change as defined by DFID for the purposes of the Drivers of Change Initiative in the component one report: change is "pro-poor" to the extent that: 1. Economic growth drivers are such as to create demand for the resources and skills to which the poor have access (for instance, growth based on labor-intensive manufacturing and services or on smallholder agriculture, will be more pro-poor than growth based on the capital-intensive exploitation of mineral resources). 2. The resources of the poor are enhanced (particularly through improved health, education, transport and communications infrastructure) to enable them to exploit the opportunities that growth processes may create. 3. Institutions of particular relevance to livelihoods of the poor are accountable to them/responsive to their interests.

Specifically, the National Assembly could most likely contribute to pro-poor change in the medium to long-term in the following areas: 1) improving pro-poor distribution and allocation of national resources; 2) developing a legal and regulatory environment more conducive to pro-poor change; 3) improving monitoring and oversight of public expenditures; and 4) increasing pro-poor oversight of government programs and policies.

A. RESOURCE ALLOCATION: Improving the distribution and allocation of national resources to the poor, through the exercise of its legislative and budgetary authority.

As a country rich in natural resources, one of Nigeria's greatest challenges in pursuit of pro-poor change lies in its ability to allocate resources efficiently and equitably. Vested with significant budgetary and legislative authority vis-à-vis the executive branch, the National Assembly has the potential to play a significant role in overcoming this challenge. Composed of members from each state, it is also likely to remain the least polarizing venue for debating the allocation of national resources. In addition to its authority to independently propose and pass legislation that directly affects poorer citizens' access to resources, the Assembly also wields significant budgetary bargaining power with the executive through its power of appropriation.

Review of Budgetary Allocations: The Assembly has significant authority over the budgetary appropriations process. Though proposed by the executive, the House and Senate appropriations committees play a significant role in the process, consistently resulting in substantial revisions of proposed bills. While the House and Senate appropriations committees have the greatest budgetary authority, individual ministries and executive agencies are asked to defend their proposed budgets before relevant oversight committees prior to the compilation of the appropriations bill. This enables individual committees to consider the expenditure for poverty-specific issues by ministry or agency. The Assembly can further effect pro-poor allocation and distribution of resources through techniques such as earmarks, notification requirements, expenditure ceilings and floors, etc.

Review of Laws Allocating Resources: There are also a number of laws that directly govern the distribution of resources, including laws that govern revenue sharing and laws that establish mechanisms or authorities for delivering economic development of a particular region or a particular area.[3] These laws allocating resources provide opportunities for the Assembly to build in procedural and substantive guarantees protecting the interests of poor and vulnerable groups. For example, laws establishing development corporations (such as the Niger Delta Development Commission) could include provisions requiring application of certain pro-poor criteria in the design of development projects undertaken by the authority, require consultation with poor and vulnerable groups, or mandate periodic reports on the impact of the authority's program on the poor.

---

[3] Presidential attempts to amend Nigeria's Revenue Allocation Act, without consulting with the Assembly was an extremely contentious issue in 2002. The Assembly, though by no means free of contentious debate, may be the least polarizing venue for debates about the allocation of national resources since it is a branch of the federal government composed of members from each state.

B. LEGAL REFORM: **Developing a legal and regulatory environment more conducive to pro-poor change**

Although Nigeria's natural resources have great potential for funding pro-poor change, sustainable pro-poor economic development will also require the creation of a legal and regulatory environment that encourages the growth of the private sector. Although the executive is likely to remain the primary source of legislation in at least the medium-term, the Nigerian system does allow the legislative branch a greater role in policy-making than in many countries in the region. The National Assembly can, for example, play a role in setting the legal framework within which state and local governments operate. Moreover, given the positioning of the Assembly in the Nigerian political economy, it is situated to allow access of other potential drivers of pro-poor change to the political system. Enabling legislation (such as health or education initiatives, sunshine laws or freedom of information acts, regulations for revenue allocation, or privatization processes) may also empower actors in other drivers who were previously unable to achieve effective change due to legal barriers. Technical assistance and constructive pressure on the National Assembly to pursue a pro-poor agenda could facilitate several of the catalysts needed to activate other drivers.

Pro-poor amendments and legislation: The National Assembly is empowered not only to consider and amend legislation proposed by the executive, but also to introduce, debate, and pass bills of its own initiative. Between 1999 and 2003, several members and committees drew on this legislative authority to pursue pieces of individual legislation. While the executive branch has principal responsibility for proposing legislation and developing policies for pro-poor change, macroeconomic stability, and economic growth, the Assembly has the formal power to propose and amend laws that modify the allocation and distribution of government resources. For example, the National Assembly may: initiate sector-specific legislation (health, education, infrastructure); review, deliberate, and/or amend anti-poverty legislation proposed by the executive; conduct poverty-impact analysis of all proposed legislation by select committee(s); solicit expert input regarding specific policies; establish frameworks for policy implementation. The Assembly may also use its legislative power to regulate bureaucratic processes to increase efficiency, to account for national revenues, and to ensure that governmental processes are transparent and increasingly accountable.

Acting as a political forum for public debate on pro-poor issues. In many ways, civil society is "ahead" of the political elite on pro-poor policy – the challenge is creating mechanisms for civil society to access the political process and to influence the political elite. Although the Assembly has limited in-house capacity to independently analyze the impact of legislation on the poor, it has the potential to serve as a more open, accessible forum for civil society to participate to affect the political process. Since 1999, a select number of civic groups have used the Assembly effectively as a platform to raise

> **Committees and Civil Society Strategize about Improving the Lives of Women and Youth**
>
> In 2002, the Nigerian House Committee on Women's Affairs and Youth Development held its first public hearing to develop policies that could better the lives of Nigerian women, youth and children. Held in collaboration with the civic-led Legal Defense and Assistance Project, the event enabled dialogue between a large group of civil society leaders and National Assembly Members, as well as approximately 150 citizens. The event was convened by the Speaker of the House and chaired by the deputy Speaker, and was attended by representatives of the executive branch, including the Minister for Women's Affairs. Leading up to the hearing, members of civil society and legislators united for a strategic planning seminar in which they created complementary agendas for the event.

pro-poor concerns and help shape policy. Forums or public hearings could be used to pressure the executive, which has capacity but often lacks the will, to prepare legislation on specific pro-poor items.

C. FISCAL CONTROL: Improving the utilization of government resources for pro-poor change by monitoring compliance with budget allocations and by minimizing misuse of resources

Weak management of public expenditures is another of Nigeria's greatest challenges. In addition to encouraging adherence to stated national poverty reduction strategies, the Assembly could play a critical role in ensuring that government resources are expended properly and in compliance with law. Although there are a range of external financial oversight agencies (such as the Auditor General) that can contribute to improved expenditure control, these institutions need the support of political checks on executive authority, if they are ultimately to be successful in controlling and monitoring executive expenditures. The Assembly can support financial accountability through committee oversight of ministry expenditures, by demanding fiscal transparency and improved control mechanisms, and by investigating and publicizing misuse of government funds.

Committee oversight measures: The Assembly's committees offer specific venues for monitoring national expenditure through public hearings, investigations, and the preparation of committee reports. Although the Assembly committee system is large and unruly, its structure at least partially matches the proliferation of executive agencies that they oversee. Nigeria's federal structure and revenue allocation system, which apportions a percentage of total national revenue directly to federal, state, and local coffers, does not provide an official mechanism for Assembly review of state-level expenditure, but committees might provide a venues for publicizing the amount of funds allocated to federal, state, and local governments, or to investigate the results of particularly successful initiatives funded by non-federal levels.

*Demands for increased fiscal transparency***:** Because Nigeria's wealth is primarily derived from oil, the National Assembly could play a logical role in demanding greater transparency on the part of state-run revenue-generating industries. Although it falls to the Auditor General and other accountability institutions to investigate revenue inflows and shortfalls, the National Assembly provides a venue in which findings can be made public and used to trigger increased demand for access to public information. By bringing such information to light and placing it on the political agenda, the Assembly could assist other potential drivers of pro-poor change (media, civil society organizations, and political parties) in disseminating information about government expenditure and mobilizing popular demand for greater fiscal accountability.

> **Committee Investigation of Missing Public Funds**
>
> In the spring of 2003, the House Committee on Petroleum Resources held a public hearing to investigate allegations by the chairman of the Revenue Mobilization and Fiscal Allocation Commission (RMAFC) that the Nigerian National Petroleum Company had failed to forward N3 billion in revenue to the Consolidated Federal Account. The hearing sparked extensive media coverage regarding oil revenues and federal collection mechanisms, and tremendously increased the information publicly available. A similar June 2001 hearing in which the Senate Public Accounts committee investigated a N2.3 billion diversion of National Electric Power Authority (NEPA) funds to individual private accounts set the precedent for legislative investigation of revenue shortfalls.

Strategic use of the appropriations process: Although not presently coordinated to maximize oversight capacity, the Nigerian appropriation process could be modified to ensure the flow of ministry reports on previous expenditures to Assembly oversight committees more effectively. Increasing the linkages between a review of past expenditures and future requests could create incentives for more efficient use of resources and create disincentives for resource misallocation. In addition, there may be ways to increase the Assembly's role in more specifically allocating funds within each ministry's budget.

D. EVALUATING PRO-POOR IMPACT: Evaluating the pro-poor impact of government programs and policies while maximizing the use of resources for effective pro-poor programming

In addition to ensuring financial accountability, the Assembly's oversight powers enable it to evaluate the effectiveness of ongoing programs and to recommend or initiate necessary program adjustments. As a federal body with connections to each Nigerian state, the Assembly is positioned to evaluate the impact of national socio-economic anti-poverty initiatives at the national, regional, state and local levels.

Sector-specific Committee Investigation: Committee investigations and hearings remain one of the simplest mechanisms to gather and consolidate information regarding the outcomes of specific anti-poverty measures. With assistance of appropriately skilled staff, Assembly committees could also analyze the effects of policy, legislation, revenue-raising, and budgets on various segments of society. Assembly committees also have the potential to play a role in ensuring that government decisions regarding pro-poor programs are transparent and equitable, and that overall government policy is implemented in a way that mitigates negative consequences for poor and vulnerable groups.

Constituency Feedback: Assembly Members are elected by constituents to serve local interests and the interests of the nation as a whole. As a result, Members are able to obtain information pertinent to their legislative and oversight responsibilities, not only from the executive and internal sources, but also from constituents, grassroots community-based organizations, interest groups, civil society and the private sector. Input and feedback from these sources is essential for the Assembly's ability to ensure that government programs actually promote poverty reduction and inclusive economic development.

SECTION IV

Factors Adverse & Conducive to Assembly-Led Pro-Poor Reform

The forces that govern Assembly behavior and performance are products of a range of factors that emerge from the historical context within which the Assembly operates; from the actors, institutions, and processes within the Assembly; and from the nature of the relationships between the Assembly and external institutions and actors.

HISTORICAL CONTEXT

The Assembly's performance is reflected in actions of internal agents and institutions, as well as relationships with external agents and institutions, all operating in an environment shaped by Nigeria's history of colonial and military rule. This context will affect the political economy for many generations to come and imposes serious challenges for pro-poor reform. However, some incremental changes have occurred over the past few years, and factors that could be aligned to effect pro-poor reform are slowly emerging.

1. Regional or ethnic power structures and geographic accommodations

Political conventions, such as zonal and state distribution of executive and Assembly leadership positions, officially intended to mitigate factionalization of the polity along regional and ethnic lines, also reflect the historical practice of ensuring access to public resources by politicians and power brokers from various ethnic groups and geographic areas. In the Assembly' the practice of zoning reinforces historical distributional proclivities and relationships between Members. Moreover, regional/ethnic allegiance structures within the Assembly have diverted institutional human and financial resources from areas in which the Assembly could make substantial contributions to poverty reduction and inclusive economic growth

2. Access to state resources as the primary means for accruing wealth

Nigeria's dependence on oil as the primary source of national revenue, and the federal government's preponderant control of that revenue, restricts access to national income. This reinforces the historical pattern of participation in government and interaction with public officials as the primary avenues for pursuit of economic self-interest. The paucity of economic opportunities independent of relationships with or employment in government inhibits the development of centers of power outside government capable of calling government, including the Assembly, to account for improving standards of living for citizens. Commentators are dismayed that many political actors seem to regard the use of public funds to trade favors for personal financial gain as a respectable way of doing business.

3. Concentration of authority

The governance culture within which the Assembly operates reflects a top-down psyche inherited from colonial and military rule. Many actors in all segments of the polity are impatient with consultation and due process, and with the checks and balances characteristic of democracy. Many executive officials behave as if the executive branch still had unilateral authority to make

government decisions while the Assembly has allowed a small circle of Members to assume de facto authority within the institution. Most citizens at the grassroots continue to expect public officials, irrespective of branch of government, to deliver benefits as if by fiat.

4. Recent emergence of positive factors

While democracy has not yet yielded significant positive changes in standards of living for poor Nigerians or a level of economic growth that could sustain long-term poverty reduction, restraints on personal freedoms and opposition imposed by military rule have been relaxed. Limited incremental progress has also been made in checking unfettered private access to public resources by patronage networks, and in loosening the grip of government on all significant sources of national wealth. Perhaps the most salient change is the broad-based and vociferous assertion by citizens that the military must never be allowed to return to government. This is due in large part to

> **The Assembly as a Parallel Power Structure and a Check on the Executive**
>
> Although the National Assembly's assertions of independence and authority have tended to be extreme (e.g.: attempted impeachment of the president, battles over the annual budget, etc.), their actions have set a precedent for legislative power previously unrealized in Nigeria. By demanding executive attention and resisting attempts to dismiss legislative authorities, the Assembly has forced Nigeria to begin transitioning from concentrated military-style authority to a system of checks and balances system. Though greater capacity is needed to exercise checks on the executive, the Assembly's actions have already forced a greater balance of power.

unprecedented excesses in personal appropriation of public resources and repression of opposition under the Babangida and Abacha regimes. Since 1999 it has also become apparent that there is no longer a uniform identity of legislative and executive authority. These factors together have contributed to the nascent but perceptible emergence of alternative power structures that, if nurtured and supported, could counter endemic historical forces that block pro-poor performance by the Assembly and other branches of government.

INSTITUTIONS AND ACTORS WITHIN THE NATIONAL ASSEMBLY

The Assembly's incentives and capacity to drive pro-poor reform are also shaped by the characteristics of internal institutions, actors, and processes; links to regional and ethnic power structures that exert substantial control over public resources; and weak aggregating forces that, in other settings, support contributions by legislatures to poverty reduction. However, as in the country as a whole, there is evidence of positive factors gathering strength within the Assembly that are conducive to its development as an agent of pro-poor change.

1. The absence of effective political parties or differentiable ideologies lends informal networks greater influence

Party seats in the Assembly are more or less concentrated within regions, and parties are linked to regional and ethnic networks that influence distribution of political power and resources; they do not inform debate by articulating differentiable positions on measures for alleviating poverty or encouraging economic growth. Selection of candidates is, to a large extent, a market process that screens out many individuals who would be motivated to serve the national interest.[4] Once

---

[4] In 1999 many expert and upright prospective candidates declined to run because they were skeptical that an independent legislature would endure. In 2003, many were deterred because they held the Assembly in low regard and did not expect it to be an effective instrument of pro-poor reform and economic development.

elected, opportunities abound for Members to secure financial rewards through patron-client relationships. In most cases, there are no adverse consequences for rent-seeking and few effective rewards for dedication to pro-poor interventions.

Parties in Nigeria were newly constituted as political agents in a democratic framework only four years ago, and have yet to develop differentiable issue-based positions. Most sources for this paper describe the role of parties within the Assembly as insignificant. Debates are rarely along party lines, and party members rarely vote as blocs. Even though the same party controls the presidency and the majority of seats in both houses, the most protracted controversies during the 1999 to 2003 period have been between legislative and executive members of the majority party who took opposing positions. Many sources say the vacuum created by the absence of strong party caucuses has facilitated the assumption of executive privileges by presiding officers. Most agree that weak party structures reinforce tendencies among Members to act primarily in their own personal interest.

> **Lack of Party Loyalty**
>
> During the lead up to elections in April 2003 many Members changed party affiliations some several times, simply to find parties that would nominate them for re-election. One source for this paper reported that more than half of the Senators elected on the majority party ticket in 1999 no longer belong to that party.

Weak political parties reinforces the persistence of informal networks as major aggregating forces. Critics say Members secure nominations through a market process linked to the financial interests of regional and ethnic power structures and, once elected, are expected to direct financial benefits to political "godfathers" and their networks. This is described as a strikingly efficient means for aggregating support for, or opposition to, initiatives in the Assembly. Many sources cite multiple alleged examples of patronage used to mobilize support or opposition for bills and motions in the Assembly. In the words of one source, "People don't stand on issues here, they stand on money." Allegations range from "suitcases of Naira" used to buy votes during attempts to remove presiding officers, to tales of Members asking, "How much will you pay me to support your bill?"

2.   Discontinuity of Assembly leadership and executive control by leaders

Discontinuous leadership, controversies over replacement of presiding officers, and the practice of assigning leadership positions to Members from specified geopolitical zones have disrupted Assembly proceedings and diverted attention from legislation and oversight. Executive control of Assembly business and financial resources by presiding officers has further created alternative power structures within the Assembly, and diverted funds that would otherwise have been available for the development of institutional capacity.

The Assembly took office in 1999 with a military-driven culture of limited knowledge base, no institutional memory, and extreme challenges imposed by endemic corruption. The Assembly's first three years witnessed two different Speakers and three Senate Presidents; controversies over the suitability of presiding officers have repeatedly overwhelmed Assembly proceedings, and shifted focus away from pro-poor legislation or oversight.

Many sources report that the pursuit of patronage, weak political parties, and the tendency to concentrate power contribute to a situation in which presiding officers exercise largely unfettered executive control of the Assembly's financial resources with little or no internal accountability.

Critics assert that Members often support or oppose bills and motions to curry favor with leadership, and that this *de facto* authority is conferred by presiding officers' ability to confer or deny lucrative committee posts, and approve or disapprove allowances for trips, staff, and medical claims.

These practices are not legally entrenched, but are taken for granted by many Members as normal prerogatives of authority. Members who disagree do not speak out for fear of personal consequences. In addition to draining resources potentially available for constructive uses, patron-client relationships weaken nascent tendencies in the Assembly to hold presiding officers accountable to Members for facilitating pro-poor legislative and oversight agendas.

3.   Bloated and fragmented committee system

Committee systems in the Senate and the House are bloated, fragmented, and have absorbed a large part of the Assembly's resources with relatively few substantial results. Although the distribution of committee posts as member rewards has inflated the number of committees, few Members have sufficient expertise or interest in the undertakings of standing committees. Those who do are discouraged by the limited attention paid by the Senate and House to reports of standing committees.

Like party caucuses, committees are driving forces in effective legislatures. They are venues where alternative policies and legislation for poverty reduction and economic development are discussed and debated in-depth; executive officials are constructively engaged; input is received from knowledgeable professionals, civil society organizations, and the private sector; and oversight of the executive is pursued. While the Constitution and Standing Rules of the Senate and House provide a good legal framework for committees, most sources for this paper agree that thus far most committees have accomplished very little. If the challenges that impede the development of strong committees are not addressed, the likelihood that the Assembly will become an effective agent of pro-poor change will be substantially diminished.

The number of special and standing committees more than doubled during the past four years. The current Senate has had more than 60 committees, the House more than 70, and numerous *ad hoc* committees were created to deal with single issues. The inflated committee system consumes Assembly resources inefficiently and often illegitimately[5], disaggregates oversight, and inhibits concentration of expertise among small cadres of Members who should be responsible for informing debate on important national issues. To give one example, the current Senate and the House each have committees on the army, the navy, and the air force, as well as committees on defense.

Problems created by committee proliferation have been exacerbated by the frequent replacement of committee chairs and Members, often as reward or punishment. For example, in 2000, the House Committee on Ethics and Privileges spent months deliberating on a Code of Ethics, with the help of technical experts, a study mission to the United States, and a study of codes adopted by many other legislatures. An excellent bill was drafted, but the chair of the Committee was

---

[5] Ironically, the recent Auditor General's report cited outstanding advances to committees as the largest block of Assembly funds for which proper accounting had not been submitted.

changed, and the new chair did not move the process further. In other cases, however, even when committee chairs changed rapidly or offered weak leadership, they rarely obstruct committed Members from fulfilling their duties. Progress can, to some extent, be sustained through committee membership.

Impediments generated by committee proliferation and turnover are compounded by the limited opportunities, skills and experience of Members and staff. Most Members, for example, are unable to question witnesses productively. In-depth discussion is a rarity; most public hearings are simply a series of speeches. Some committees have submitted well researched analytical reports, informed by input from civil society and the private sector, and then had their reports ignored in cursory debates in the plenary. The fate of these committee reports highlights the inexperience of Members in lobbying peers in the Assembly, executive officials, and stakeholders outside government for political support for committee recommendations. Weak technical support also constrains committees, as they do not have sufficient qualified staff.

> **House and Senate Public Accounts Committees Investigate Use of Public Funds.**
>
> During the 1999-2003 term of the National Assembly, the House Public Accounts Committee conducted a series of comprehensive oversight hearings to examine the records of dozens of government agencies that had not been audited in the past several years. In addition, the committee worked to make the Auditor General both stronger and more accountable to the legislative branch. In August of 2000, the committee ran a two-day workshop with its members, the Auditor General, the Accountant General and the Public Accounts Commission to discuss oversight roles and possibilities for cooperation. Similarly, in June 2001, the Senate Public Accounts Committee began a public hearing on the circumstances surrounding the diversion of N2.3 billion (approximately US$20 million) allocated to the National Electric Power Authority (NEPA) into a private bank account. The committee investigated why the money was not kept in the consolidated federal revenue fund as constitutionally mandated.

Despite the constraints, some committees have worked diligently to explore pro-poor policy and legislative options and conduct oversight. For example, budget analyses and negotiations among peers in the Assembly by Senate and House Appropriations Committees have been impressive considering the small number of expert staff in these committees. The Public Accounts Committees have devoted serious attention to investigating public expenditures and the Senate and House Committees on Ethics and Privileges did report Codes of Conduct to their respective houses for ratification.

To address some of these issues, there are moves underway in both chambers to significantly reduce the number of committees. The Senate Rules and Business Committee passed a resolution that would reduce the number of committees to 30 and similar consolidation of committees is under active consideration in the House. It remains to be seen whether these initiatives will succeed the new Assembly. Moreover, even if these initiatives do succeed, the short-term number of committees will continue to outstrip the Assembly's internal technical support.

4. Weak institutions and incentives for ensuring the rule of law within the Assembly

External institutions and internal systems intended to ensure accountability for the use of public resources have not curbed financial malfeasance within the Assembly. The Assembly has tolerated expedient disregard for constitutional provisions and Standing Rules.

Despite interventions by the Independent Corrupt Practices Commission and the Auditor General, critics aver that most financial malfeasance by Members has gone without redress. Indeed, the Assembly's current attempts to unseat the Commission, allegedly because the

Commission is investigating influential Members, and re-assignment of the Auditor General soon after an audit report cited financial irregularities in the Assembly, indicate that the watchdogs may be more at risk than the actors whose behavior they are intended to check. Disregard of constitutional provisions also damages the Assembly's credibility as the law-making branch of government and reduces the political capital at the Assembly's disposal for driving pro-poor change.[6]

5.   Limited skills and poor incentives create unproductive legislative processes

Legislative productivity is inhibited by inexperience with political or technical processes required to move a volume of bills expeditiously through a bicameral legislature, and to obtain concurrence by the executive. Further, Members have not had reason to expect personal benefits from attention to pro-poor legislation. Thus, between June 1999 and mid-April 2003, only 16 bills other than appropriations and supplemental appropriations were enacted into law. At that time, four more awaited assent by the President, and five had been passed by both chambers but had not yet been sent to the president.

The Assembly's short history as a democratic bicameral legislature is also an impediment to legislative productivity. Members have very limited experience in negotiating and lobbying for bill support from peers in the Assembly and executive officials, and few have actively cultivated political support from civil society and the private sector that would facilitate expeditious passage of legislation. Despite multiple impediments, many commentators believe more might have been accomplished by the Assembly had it made better use of political capital. In 2000, the Assembly was lauded for its amendments to strengthen the first corrupt practices bill proposed by the executive, and for its ability to secure concurrence to the amendments by the president. The Assembly could have used political capital generated by the success of this bill to

> **Committee Activity Contributes to Availability of Public Information.**
>
> Despite limited progress on the passage of laws, committee activity does contribute to public awareness of key political and economic issues. The Standing Rules provide for both referral of bills and oversight of government ministries and agencies by committees, and the Assembly already makes use of ad hoc and standing committee systems for these purposes. Some standing committees such as the Senate Appropriations Committee, have performed credibly despite serious constraints; there has been significant (albeit more sporadic) attention to investigating public expenditures through the committee system; and the House Education and Health Committees have solicited input from experts in civil society on pro-poor policies and legislation. Media coverage of public hearings and investigations has helped to break down barriers to information for civil society and non-state actors.

mobilize support within and outside the Assembly for passage of other important legislation, such as the bill to implement the international convention on children's rights, or to strengthen its hand in negotiations on oversight. Instead, the Assembly dissipated political support by what is widely perceived as self-serving behavior. Other legislation has languished, not for lack of

---

[6] Many sources report that most Members are not familiar with details of Standing Orders, rules for administrative or financial procedures, and many do not understand constitutional provisions as they apply to complex situations in the Assembly. According to press reports, in two of the four sessions since 1999, the Assembly sat for fewer than the 182 days per year required by the constitution, and one chamber recently passed the bill that would disband and replace the Independent Corrupt Practices Commission without a quorum present. Although the constitution requires Members to vacate their seats if they change parties during their terms of office, Members who change parties have retained their seats without challenge, indicating both the insignificance of parties as power blocs within the Assembly, and of tolerance of disregard for the constitution. (The Constitution provides an exception if parties splinter or merge, and some Members have invoked this exception as the basis for retaining seats).

political support, but simply because of inattention to business. Many more bills might have been enacted into law had Members focused systematically on a legislative agenda.

Ironically, now that the Assembly is soon to be dissolved, the Speaker has repeatedly run four-page multi-color public announcements of a detailed legislative agenda in all major newspapers and planned several days of public hearings. The agenda is co-sponsored by the Deputy Speaker and party leaders in the House. This is construed by many as implicit recognition that few bills have been enacted into law since 1999, and an attempt by Assembly leaders to counteract broad-based public dissatisfaction.

6. Inadequate staff support and infrastructure

The Assembly lacks qualified staff and continuous access to professional experts to support Members and facilitate continuity in pursuing pro-poor legislation and oversight. Inadequate technical support for budget appropriations and monitoring is particularly crippling. Members also lack qualified staff to service constituents. This limits input from poor citizens on their needs, the quality of government programs at the grassroots, and ultimately, the services citizens should be able to expect from Members.

Most Assembly staff are not trained, empowered, or motivated to provide professional public service, as conditions of service are poor and remuneration does not correspond to responsibility or performance. Many Members who receive funds for personal legislative aides and constituency office staff pocket much of the money themselves. Continuity of staff assignments has also been problematic, and the proliferation of committees has resulted in staff assigned to multiple committees. The Assembly's library and research capabilities are extremely limited, and the Assembly does not have continuous access to economists, accountants, policy analysts, and attorneys who could provide technical expertise and support to the Assembly in driving pro-poor change.

Some steps have already been taken to counter a number of deficiencies. The National Assembly Services Commission has promulgated new guidelines for recruiting, assigning, and paying staff, and the chair has been a strong advocate for consolidating committees so each can have a full and continuous complement of staff. Demand is strengthening within the Assembly for the establishment of a legislative budget and research office modeled on the United States Congressional Budget Office, albeit more limited in size and scope.[7] A Joint Senate and House Information Technology Committee has also been established to set policy for the Assembly in this area. To date the Committee has developed a five-year strategic plan to build the Assembly's IT capacity and complete the first two phases of the plan. The Assembly's continued development of capacity to use modern information technology will help substantially in strengthening professional staff and infrastructure support.

---

[7] Such an office could make expert analyses and information available to civil society to facilitate contributions to national debates on policy and legislative options, and give citizens tools for use in holding government accountable for its performance.

RELATIONSHIPS BETWEEN THE NATIONAL ASSEMBLY & EXTERNAL INSTITUTIONS AND ACTORS

Assembly relationships with actors and institutions in other domains not only shape the nature of Assembly activity, but offer insight into the factors and trends that could be aligned within and across domains to remove barriers to collaboration in promoting poverty reduction, macroeconomic stability, and inclusive economic growth.

1.   Counterproductive relationship with the executive[8]

Conflicts with the executive have diverted attention from pro-poor legislation and oversight. The Assembly's use of harsh measures to exert its prerogatives has inhibited constructive engagement between the two branches of government on less politically charged issues and on the collaborative pursuit of pro-poor undertakings. The Assembly's vastly inferior knowledge base and institutional machinery have also handicapped the Assembly in its interactions with the executive. This is especially evident in the budget process. However, the executive has come to recognize the Assembly as a power structure that must be engaged to avoid a negative impact on the executive agenda.

During the 1999-2003 term, the Assembly demonstrated capacity to take strong, constructive steps to balance and improve executive proposals on important national issues. (The fact that within its first year the Assembly secured concurrence with amendments that strengthened legislation initially proposed by the executive to curb corrupt practices is a case in point.) However, the Assembly's use of the threat of impeachment to exert its prerogatives precipitated protracted hostilities that overwhelmed other Assembly business. Relationships between committees and executive officials are strained, and information is exchanged only sporadically. Many say executive officials resent demands from an inexperienced legislature with an inferior knowledge base, i.e., "small boys" making demands on "big men." Some officials ignore requests; others cite an atavistic law that makes many documents confidential without official authorization. As noted above, inadequate access to information is particularly troublesome to the Assembly in exercising its prerogatives with respect to the budget.[9]

> **Increasing Executive Engagement on Mutual Agendas for Pro-poor Change**
>
> Despite a rather confrontational relationship with the Assembly since 1999, the executive has made some gestures towards greater inclusion of non-state actors. To give two examples, the executive appointed a respected civil society activist to head the executive's Education for All initiative, a critical policy for poverty reduction, and a dialogue between the Chief Economic Advisor to the President and the leader of the Nigeria Labour Congress was recently broadcast nationally on the state-controlled television network. Increased capacity of pertinent Assembly committees, and mobilization of advocates within the Assembly on these issues, would make the Assembly a player in cross-domain participation in these important national debates.

While the Constitution grants broad budgetary authority to the Assembly, some provisions also constrain the Assembly's use of this authority. The Constitution says the President may submit a proposed budget for a given year to the Assembly any time during the preceding year – indeed,

---

[8] The executive, as well as the Assembly, is influenced by informal networks. However, NDI's treatment of the executive is limited to factors that impede or facilitate legitimate interactions between the Assembly and the executive.

[9] The Revenue Mobilization Allocation and Fiscal Commission is responsible for proposing to the President formulas for allocating revenue from the Federation Account. The Assembly is responsible for determining the formulas. According to sources, both are inhibited by inadequate information from the executive, and some suggest that they might obtain better access to information by joining forces.

the President could submit a budget on December 31st for the year beginning the next day.[10] Since 1999 the President has submitted budgets late in the year. Sources say the Assembly is not consulted or briefed in advance and does not receive timely reports of actual current year revenues and expenditures. Nevertheless, the Assembly is under pressure to act quickly on budgets without the technical support available to the executive. Time taken to review proposed budgets and substantial amendments by the Assembly have contributed to friction between the two branches of government. Under military rule, the chief executive simply read the budget to the legislature at the beginning of the fiscal year and the budget took effect immediately. When the President took office in 1999, there was an expectation that the Assembly would approve budgets quickly, without substantial amendments. Until the executive and the legislature develop the practice of respectful routine consultation, the Assembly is likely to have difficulty securing executive concurrence with many of its interventions, and this will impede development of the legislature as an agent of pro-poor change.

The Assembly's own budget is also at issue. The executive controls disbursements of funds to the Assembly, and amounts received are typically less than approved budgets.[11] Nonetheless, this creates tension between the Assembly and the executive. The Revenue Mobilization Allocation and Fiscal Commission has suggested that making funding for the Assembly a first line draw from the Federal Account would mitigate this tension. This would, however, require an amendment to the Constitution, and states would be unlikely to approve such an amendment.

Some sources believe groundwork has been laid for more constructive engagement between the Assembly and the executive. However, for the past four years in Nigeria (and as typical in other new democracies) donors and other external sources have provided substantial technical and financial assistance to the executive, and by comparison, relatively little to the legislature. Given the importance of the legislature to the consolidation of democracy and pro-poor change, assistance in leveling the playing field by providing more support for the Assembly seems warranted.[12]

2. Counterproductive relationships with state and local governments

Competition between Members and state officials for financial resources and constituents' loyalties adversely affect the Assembly's interest in shifting power and resources from the federal level to state and local governments that have primary responsibility for many programs that directly assist poor citizens at the grassroots.

Most sources say mutual disaffection is based primarily on competition for control of financial resources (legitimate and illegitimate), rather than on disagreement in principle about the level at

---

[10] The draft Constitution submitted to the Assembly by its joint constitutional review committee would require submission of the proposed budget four months before the beginning of the year.

[11] The executive maintains that if revenues are below estimates, disbursements must necessarily be less than approved estimates of expenditures.

[12] Most external assistance sought by the Assembly during its first four years has been in response to immediate short-term needs. The Assembly has not planned requests to optimize the strategic impact of external assistance, and donors have not focused on achieving synergy through their interventions. Donors might increase benefits to the Assembly by forming a donor working group for the Assembly, like the group that regularly confers on assistance for agriculture and rural development.

which government services are most effectively delivered. Sources cite many examples of state and local officials blocking infrastructure projects supported by Members, and *vice versa*, because of competition for "kickbacks" from construction projects and political support from constituents. One source said the Assembly delayed finalizing its input on the budget for 2003 primarily to deny state officials access to funds that might be siphoned from the public purse to support state election campaigns.

3.   Limited engagement with civil society and the private sector

Most Members and committees have not taken advantage of the expertise in civil society and the private sector to deepen understanding of alternative pro-poor policy and legislative options, nor have they mobilized support from these domains to press pro-poor interventions with peers in the Assembly and the executive. Similarly, leaders, organizations, and professional experts from civil society and the private sector have not made effective demands on the Assembly. Many do not direct advocacy to the Assembly because they do not expect to receive serious attention and/or they do not expect the Assembly to be able to secure concurrence from the executive.

Within the past four years, the degree of organization for advocacy within civil society and the private sector has increased. Civic organizations with expertise and interests in several sectors critical for poverty reduction have developed networks, albeit fragile and as yet largely untested, to aggregate political power and facilitate exerting influence at the national level. Concerned professionals with strong ties to civil society organizations and the private sector have demonstrated interest in assisting in developing expertise within the Assembly.

Sustained engagement between the Assembly, civil society and the private sector[13] would increase the Assembly's capacity to drive pro-poor reform and inclusive economic development. However, attitudes of Members toward civil society have impeded the development of such relationships. Actors in civil society are most likely to influence the Assembly if they have national or regional presence, credibility based on expertise and/or service delivery, and ideally, links to blocs of voters. Many Members still discount civil society's input, even when leaders and organizations do have national presence, respect, and expertise, because they view it as hostile, or without significant constituency support.

Conversely, public perceptions of the Assembly have also inhibited relationships. Due to the legacy of centralized military rule, many in civil society believe advocacy directed to executive agencies is more likely to achieve results than that directed at the Assembly, and that State governments are unresponsive and riddled by corruption. Even so, given a choice of struggles for government accountability, some civil society leaders and organizations prefer advocacy at the state level, closer to their constituencies at the grassroots. The fact that civil society has thus far largely failed to make effective demands on the Assembly is also due in part to capacity issues.

---

[13] In this paper "civil society leaders and organizations" refers to domestic NGOs, locally staffed international NGOs, community based organizations, sectoral organizations (e.g., professional and service delivery organizations with interests in education, health, and smallholder agriculture), trade unions, faith based organizations; related think tanks, academic institutions, and professional associations; and spokespersons for such institutions. "Private sector leaders and organizations" refers to private businesses, financial institutions, and business associations; related think tanks, academic institutions, and professional associations; and spokespersons for such institutions. NDI's treatment of civil society and the private sector in this paper is limited to current factors that impede or facilitate legitimate interactions between the Assembly and civil society and the private sector in the short to medium term.

Pro-poor civil society organizations with expertise and reputations for service delivery have been unable to set priorities among competing objectives or develop focused advocacy campaigns.

8.   Ineffective relationships with media

Despite extensive media coverage of politics, public affairs, and scandals, negative coverage of the Assembly has not resulted in abatement of rent-seeking or increased attention to legislation and oversight. Media professionals do not ask Members hard questions about alternative policy and legislative options, and few Members seem to seek out media professionals or cultivate ongoing working relationships with them. In general, media reporting is too turgid, imprecise, or esoteric to present members' view and actions accurately.

In Nigeria, media coverage of politics, government (the executive more than the Assembly), and corruption in the public sector is prolific. There are many independent media organizations (particularly print media), and they typically report opposing points of view. However, there is little reported about consequences to Members of the Assembly for corruption or scandalous behavior, or about Assembly initiatives that would make substantial positive contributions on issues of national importance. Although public officials in many settings are chastened by media exposure of corrupt practices and reap political rewards for favorable media coverage of interventions in the public interest, thus far, derogatory media coverage has neither motivated Members to eschew malfeasance nor stimulated more aggressive pursuit of legislation and oversight by the Assembly as a whole.

Laudatory media coverage of the Assembly's amendments to the first Corrupt Practices Bill establishing the Independent Corrupt Practices Commission apparently contributed to the Assembly's ability to secure executive concurrence. However, there have been voluminous reports in the press decrying the Assembly's recent passage for a motion to override the President's veto of a bill that would disband and replace the Commission. Despite excoriation in the press, the Senate and House have not reconsidered their positions. Many believe this is because the Commission is actively investigating malfeasance by prominent current Members.

Nonetheless, during the past four years, some Members and a few committees have made serious, if sporadic, efforts to move reform agendas, conduct reasonable even-handed oversight of the executive, and promote pro-poor policies and legislation. The paucity of media reports on these initiatives illustrates the Assembly's typical failure to make effective use of media to publicize and mobilize political support for positive Assembly initiatives.

9.   Lax and dysfunctional constituent services.

At present, elections provide the only mechanism for constituents to hold Members accountable for their performance, and a majority do not understand the respective roles of legislators and executive officials in service to citizens at the grassroots. Most constituents expect Members to deliver local infrastructure projects within short periods of time, and some Members are also able to compensate for years of neglect by giving poor constituents small payoffs for votes in elections.

Effective constituent services require concerted efforts by Members and constituent office staff. However, many Members are unwilling to invest their own time, and have not established bona fide constituent offices staffed by individuals qualified and motivated to serve the public. To demand responsive behavior by Members is beyond the reach of most poor constituents who are neglected by Members and often pacified by small payoffs at politically opportune times. Results of the recent elections may, however, indicate that such practices are unlikely to secure re-election of some Members, either because voters reject

> **With Technical Assistance, Members Have Demonstrated Enthusiasm for Practical Constituency Relations.**
>
> A considerable number of current Members have served their constituents well, not simply by securing projects, but also by facilitating access to services; arranging for (and in some cases, funding) scholarships; sponsoring health fairs, local HIV/AIDS awareness campaigns, and other beneficial community events; and supporting communities to organize self-help initiatives. Individual Members' efforts to respond to constituency needs varied by district. For example, one Honorable Member conducted a constituency outreach tour of his district in an effort to connect with citizens; another opened a district office with eight staff, started a small private newspaper, and launched a constituent newsletter; and a Senator from the southwest relocated his constituency offices in an effort to have access points in each of the large district's nine of the local government areas. Other members reached out to the population through interactive radio call in shows that reached tens of millions of Nigerians, especially in the country's Northern regions. In collaboration with the Transition Monitoring Group, several Senate and House members participated in shows characterized by active caller participation, a vigorous exchange of views and ideas, and an increased public enlightenment on the legislative process. Over the long term, such interaction will increase demands for pro-poor change placed on Members by their constituents.

them, or because parties deny them candidacies for fear of losing seats in the Assembly.[14]

Constituents who *are* vocal about their demands typically expect Members to perform functions that are executive responsibilities, e.g., securing contracts for local infrastructure projects such as boreholes and roads. Telling constituents that the Assembly only appropriates funds, and that Members can only advocate for inclusion of local infrastructure projects in executive plans, falls on deaf ears. Constituents' expectations do, however, provide various Members with a range of incentives for delivering projects in their constituencies.

Some Members seek funding through appropriate advocacy to executive officials. More typically, however, Members bloat national budgets with appropriations for constituency projects that sidestep administrative planning processes and outstrip revenue estimates. When revenues are not realized and projects are not funded, Members fault the executive. This contributes to hostility between the Assembly and the executive and reinforces the pernicious notion that poverty reduction depends on a series of discrete projects rather than on the systematic reallocation of public resources. Members will, for example, pursue power generators for their districts rather than seek opportunities to extend the electrical grid because the former requires

---

[14] These are not the only factors that contributed to the high turnover in the recent elections, and may not even be the most significant factors. Most sources agree that many current Members were simply outbid by other prospective candidates in the market process for securing nominations.

less bureaucracy and is achievable within one term while the latter requires more political effort. Faced with these choices, many Members forgo all legitimate approaches and rely on patronage and informal networks to secure constituency projects and gain financially by skimming funds from contracts awarded to theirs or their associates' districts, or by demanding kickbacks from contractors.

SECTION V

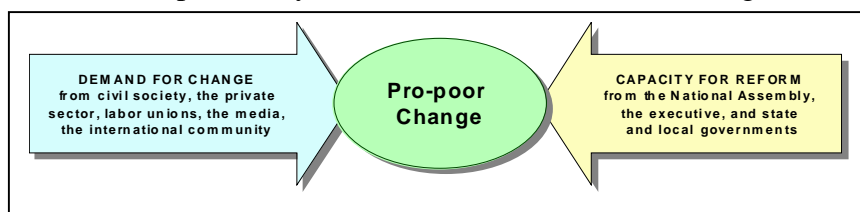# Points of Entry and the Catalysts of Change

Building on the identification of constructive roles that the Nigerian National Assembly should play in national poverty reduction processes (section III) and the enumeration of factors that promote and constrain Assembly activity (section IV), this section highlights points of entry for engaging convergent factors that would enable the Assembly to act as an effective driver of pro-poor change. It suggests specific catalytic processes that could encourage the alignment of positive factors to accelerate while minimizing the impact of negative factors, and identifies motivated and well-positioned individuals and institutions (Beacons of Hope) in the Assembly and other domains that could be logically engaged in these processes.

POINTS OF ENTRY

Although the capacity of the Nigerian National Assembly to pursue pro-poor actions or agendas is inevitably shaped by the informal networks and institutions that permeate Nigeria, these networks are neither monolithic, nor do they foster identical incentive structures. Rather, the alignment of certain institutional authorities, individual personal or political interests, and a genuine desire to improve the lives of Nigerians, create specific points of entry. If pursued in the short- and medium-term, these points of entry could enable the Nigerian National Assembly to be a dynamic driver of pro-poor change in the medium- to long-term.

Point 1:   The ability of the Nigerian National Assembly to affect multiple drivers of pro-poor change

As detailed in section III, technical assistance and constructive domestic pressure on the National Assembly to pursue a pro-poor agenda could facilitate several of the catalysts needed to empower actors in other drivers who were previously unable to achieve effective change due to legal barriers. To achieve pro-poor change, the powerful demands of non-state actors must be met with a matching capacity for reform within the Assembly.

Unlocking the barriers: Although the international community can exert some pressure for pro-poor reform, constructive demand for poverty alleviation measures must come from actors within Nigeria. Over the past four years, civil society, the private sector, and other non-governmental actors have made increasingly virile demands for government response to their input, and for accountability for targeting resources to promote inclusive economic growth. Ultimately, the Assembly should be able to filter inputs more effectively from other drivers into the policy-making process when non-governmental actors perceive the legislature as a federal body with both the expertise and the commitment to respond effectively to poverty-related concerns. Executive branch recognition of the Assembly as a parallel power structure, with whom intense controversy is likely to be counter-productive, could be complemented by discrete

moves by the Assembly to remove obstacles to public access, increase internal policy capacity, and demonstrate commitment to pro-poor reform (through a pro-active approach to individual poverty issues), thus strengthening incentives for actors in other domains to engage with the Assembly. Increased advocacy capacity among civil society organizations would complement greater Assembly capacity by further elevating social demand for pro-poor reforms.

Point 2:   The legislative budget processes and Assembly mechanisms for monitoring public expenditure

In the context of Nigeria's need for more strategic allocation and monitoring of public expenditure, the National Assembly's desire to demonstrate its independence converges effectively with legislators' interest in executive implementation of fiscal plans to make budget allocation and expenditure monitoring processes viable points of entry. The precedent for legislative independence and inquiry into executive expenditure was established by the 1999-2003 Assembly, which not only resisted presidential attempts to dismiss the legislature's authorities but vigorously investigated and protested the president's implementation of the 2001 budget, particularly the non-implementation of specific constituency projects. Motivated in large part by concern for projects in their own constituencies, legislators' involvement in the development of fiscal plans and their insistence that the president adhere to such plans can, in the long-term, drive demand for more efficient use of national resources and reinforce governing institutions' accountability to the poor. Greater understanding of medium-term poverty reduction and inclusive economic growth will gradually counter the Assembly's present tendency to append constituency project line items that cause the budget to exceed anticipated revenues.

Unlocking the barriers: Rooted partly in executive perception of the National Assembly as ill-equipped to analyze and understand the implications of fiscal data, executive offices have, to date, shared insufficient information regarding revenue or expenditure with relevant Assembly committees. This lack of information creates a barrier to Assembly-driven pro-poor change because it isolates Members with enthusiasm for oversight of pro-poor expenditures from the information required for effective analysis. Systematic institutional development would facilitate the Assembly's ability to hold the executive accountable for implementing pro-poor policies and expending funds in accordance with budgets. A reordering of the Assembly's appropriation processes so that ministerial reporting on previous expenditure is directly tied to approval of budgets for the following fiscal year, could also stimulate greater executive willingness to account for prior expenditure to relevant committees. The emergence of civil society networks demanding pro-poor budgeting and verification of pro-poor expenditures and results could also reinforce the Assembly's political will with respect to these functions. The Assembly's capacity could be substantially increased, and the playing field with the executive leveled, if current plans for a legislative budget office come to fruition.

Point 3:   Individual Assembly Members' pursuit of anti-poverty measures for constituents

Individual Members' pursuit of anti-poverty measures on behalf of their districts serves as a potential point of entry because it unifies the national need for attention to region-specific poverty issues; pre-existing constituent expectations that Members pursue infrastructure or other development projects for their district; and Members' authority to influence budgetary

allocations, monitor resource expenditure in their districts, or introduce specific legislation. In the previous Assembly, many Members lobbied for infrastructure projects for their constituencies, and some established well staffed constituent services offices to facilitate citizens' access to public services and ensure equitable treatment by public officials. Some proactively increased awareness about issues such as HIV/AIDS at the grassroots and nationally. Greater familiarity with the relative impact of systemic shifts in policy, legislation, and allocation of resources, and the individual skill sets needed to achieve these corrections, would leverage members' willingness to pursue a series of pro-poor projects to increase systemic poverty alleviation measures.

Unlocking the barriers: Increased capacity to apply the various authorities of an Assembly Member to affect pro-poor changes at a district level (strategic appropriation, specific expenditure oversight, pursuit of regional-issue legislation) would enable individual members of the National Assembly to more effectively extend the resources available to the poorest constituents.

Point 4:   Weak formal structures within the National Assembly enable reformers to have substantial impact

Pro-poor activities will likely be driven by individual members of the National Assembly in the short-term, either as chairmen or members of committees responsible for sectors which directly affect human development, or as vocal spokesmen for specific issues. Although the highly individualized nature of Nigerian political institutions is seen by many as a barrier to efficient pursuit of pro-poor agendas, it also creates space in which individuals with enthusiasm for poverty alleviation measures can have significant impact. The authority ceded to committee chairmen, constitutional potential for individual legislative action, weak party discipline, expectation of constituents, and prolific media coverage contribute to an environment in which a group of individual members with sufficient cooperation from Assembly leadership and access to adequate resources and backing can move pro-poor reform. This is partly reinforced by the results of the April elections in which only 20 percent of the Members were re-elected. For some members, these elections demonstrated that a lack of pro-poor performance can have adverse consequences in election years; for others a recently renewed mandate may provide the comfort zone they need to pursue poverty policies or reforms.

> **Individual Members Pursue Legislation with Nationwide Impact**
>
> In fall 2001, one Representative concentrated her efforts on the development and introduction of a *National Social Security Board Bill,* holding a public hearing on the content of the legislation that November. Similarly, a Senator drafted legislation on regulation of the police, while an informal caucus of women MPs agreed to coordinate their efforts to prevent traditional violence against women.

Unlocking the barriers: Most observers believe there will be an incremental but significant increase in appropriately motivated Members, many with substantial professional expertise, in the new Assembly to be convened in June. Technical and organizational support for those Members who demonstrate interest and capacity for pro-poor change will be critical to achieving positive change in the short-run.

CATALYTIC PROCESSES

The following, mutually reinforcing, catalytic processes could be pursued in the short-term and would increase the practical understanding and expertise needed by the Assembly to fulfill its allocation, expenditure management, evaluation, and accountability roles. Such processes would also enhance cross-driver relationships and facilitate collaboration to overcome barriers or combine capacities in pursuit of pro-poor change. Since the results of the recent elections may have strengthened the aforementioned entry points, it will be important to initiate processes that align and strengthen these factors quickly, before the incentives are eroded by inertia and reversion to the inhibiting patterns of behavior manifest over the past four years.

Catalyst 1.   **Assembly Owned Strategic Planning Process -** Strategic planning for medium-term development of the Assembly capacity that engages Members, staff, and stakeholders in the executive, the private sector, and civil society.

A strategic planning process could provide Members the opportunity for improved comprehension of the Assembly's constitutional mandates as applied to national poverty alleviation; better ability to use Standing Rules to pursue regional priorities through Assembly processes; familiarity with financial and administrative rules and systems that are intended to ensure efficient accountable use of national resources; better understanding of the skills and expertise that could be gained by professional development programs for Members and staff; and appreciation of the need for this capacity to engage in best practices for legislation, oversight, and representation.

> **Assembly Efforts to Improve Internal Capacity**
>
> The Assembly has begun to address some of the institutional shortfalls that inhibit its performance. In 2001, it legally established a National Assembly Services Commission, which has taken initial steps to improve staff qualifications and motivation, and has embraced the use of graduate interns and engaged professional experts from civil society to complement staff resources. Members also developed and adopted a five-year strategic plan to build the Assembly's information technology (IT) infrastructure and training capacity, and created a joint Senate/House Information Technology Committee responsible for setting policy. In May 2002, Phase I and II of the IT system were launched, consisting of a 1,000-user server and local area network, and a research and training center that has conducted training for Members and staff. The combined impact of these factors could be reinforced and enhanced if integrated into a medium-term National Assembly development plan for efficient, systematic use of its resources.

Broad participation by Members and staff, and consultations during the planning process with executive officials and leaders from civil society (including media) and the private sector, would generate political support for Assembly adoption of a strategic plan and help create effective demand for its implementation. A strategic plan could serve as an Assembly-owned roadmap for channeling internal resources and assistance from external sources to self-identified priorities.

Catalyst 2.   **Assembly Owned Committee Strengthening Program -** Adoption and implementation by select committees of mid-term work plans for addressing in-depth a limited number of issues that are most critical for poverty reduction and inclusive economic development, and provision within the plans for sustained consultations with pertinent executive officials, and institutions and individuals in civil society and the private sector.

With on-the-job access to technical support and professional expertise to develop and implement specific work plans, committees would be able to present cogent reports and recommendations to

the Assembly, and could effectively lobby peers in the Assembly and the executive for adoption of recommendations. Because of the current scarcity of such resources within the Assembly, assistance from external sources (e.g., Nigerian professional experts) would be needed, limiting the first phase of the program to a few committees with jurisdictions most critical for poverty reduction and inclusive economic development. Committees should be selected from among those concerned with budget, finance, privatization, education, health, security, small business development, and smallholder agriculture and rural development.

If committees initially select issues to which the executive is already committed, the potential for collegial interactions with executive officials would be increased. Committees would most likely attract sustained attention by civil society and the private sector if they select issues that are high priorities for these stakeholders and if the stakeholders are already mobilized to advocate the issues. In addition, committees are most likely to secure effective political support for recommendations if supporters in civil society and the private sector are positioned to influence public opinion and executive officials and/or have ties to blocs of voters at the grassroots.

Sustained engagement and consultations with pertinent leaders and institutions in civil society and the private sector would increase the expertise available to the legislature and generate political support for implementation of the committees' recommendations. If undertakings by committees during the initial phase of the program are given a high profile within and outside the Assembly, the reports they submit and the results they achieve would strengthen effective demand for similar steps to increase the role of the committee system as a whole.

Privatization: Potential Issue for Committee Strengthening Process	**Primary Education: Potential Issue for Committee Strengthening Process**
Privatization is a high priority with strong potential for reducing access by informal networks to national resources now administered by state-controlled enterprises. Privatization of key parastatals would reduce the percentage of public resources absorbed by recurrent governmental expenditures (now more than 80 percent), free funds for pro-poor investments and increase employment over the long-term. The private sector and professional experts are demanding attention to privatization of large state-controlled enterprises, and there is widespread public demand for more efficient services (e.g., NEPA, petrol refineries) and transparency in the sale of state interests. The Assembly has an important role to play in ensuring consideration of alternative approaches to privatization, mitigation of negative impacts on workers, and vigorous oversight of implementation of privatization by the executive. Media coverage of committee deliberations and recommendations would also contribute to public understanding of short-term and long-term implications of well-conceived, transparent, accountable privatization.	Access by all Nigerians to quality primary education is a top priority for poverty reduction for the executive and civil society, including faith-based organizations, an education sector network with member organizations throughout the country, and networks organized for pro-poor budget input and monitoring. However, substantial increases in the budget for primary education might impact budgets for higher levels of education, at least in the medium-term, and workers in higher-level institutions are lobbying for increased budgets for higher education. Committees could drive support in the Assembly for appropriations for primary education, scrutinize budgets to ensure that appropriations for other levels of education are not unreasonably affected, and collaborate with civil society to verify results actually achieved by funding for primary education. The Assembly could also contribute to public understanding of choices that must be made to focus a critical mass of resources on top priorities.

Catalyst 3. **Targeted Technical Assistance for Constituency Services -** Strategic assistance to new or returning members interested in building a strong voter base through pursuit of poverty alleviation measures and demonstration of accountability.

In addition to Assembly Members' ability to pursue poverty alleviation agendas or legislation through the committee system, a dynamic pursuit of national pro-poor change will require them to identify and strategically pursue constituency-specific priorities as well. With little precedent for meaningful constituency services or accountability to the electorate, Members and their staff are poorly equipped for these activities. A program of technical assistance that fosters the skill sets required to identify local priorities, select and bring to bear appropriate legislative tools, and maintain open channels of communication with local organizations and experts as well as district constituencies would do much to enable the Nigerian National Assembly to more effectively represent the diverse needs of Nigerians in all states. Such a program would likely include individual components for both Members and staff, as each has a separate role to play in effective constituency servicing. Dialogue between Members engaged in constituent services and pertinent committees would also increase understanding within the Assembly of the differences in relative national impacts between a series of pro-poor projects and systemic shifts in policy, legislation, and allocation of resources.

Catalyst 4. **Facilitated coordination among champions of pro-poor change -** Strategic assistance to new or returning members with enthusiasm and capacity for pursuing pro-poor change through legislative reform or application of oversight prerogatives

The impact of individual champions of pro-poor reform will increase with the development of mechanisms that facilitate the coordination of their efforts. Committee memberships offer one natural means of identifying Members with common issue interests. The fluidity of committee assignments, however, may elevate the role of other parliamentary groupings such as caucuses, taskforces, or working groups in the short-run. With tacit approval of Assembly leadership, concentration on the development of internal coordination mechanisms for members with similar interests or constituency priorities could multiply the capacity of these champions to achieve tangible pro-poor legal or regulatory reform. The most productive coordination mechanisms would emphasize ways in which like-minded members could pool staff support, political capital, or other resources to achieve common goals.

BEACONS OF HOPE

Activities illustrated in text boxes and cited in the main body of this paper are evidence of some of the positive factors that could be aligned to promote pro-poor reform and, in that sense, are beacons of hope. Section VI (consultations) lists individuals and spokespersons for institutions notable for their commitment to pro-poor change, many of whom might be engaged with the Assembly in the catalytic processes described above.

SECTION VI

Areas for Further Exploration – Ownership & Political Will

Significant long-term pro-poor results will depend fundamentally on sustained constructive engagement of key actors and institutions in the Assembly with the executive, civil society, and the private sector. Section V of this paper summarizes points of entry where factors within and among these groups have gathered sufficient momentum that, if strengthened and aligned to be mutually reinforcing, could accelerate national pro-poor reform. These discernable trends provide a baseline level of confidence that would justify supporting catalytic processes that could accelerate this alignment. Phase two of a Drivers of Change initiative with the National Assembly would therefore work to determine the specific pro-poor activities that key new actors in the Assembly and other drivers are committed to pursuing, and develop plans to build the capacity needed to pursue them.

To accomplish this, the second phase would principally consist of a series of strategic-planning consultations with actors in each domain, as well as identification of champions of pro-poor change within the newly elected National Assembly. These would be carried out over a period of four to six months, June to October or November 2003.

ANTICIPATED OUTPUTS

- Identification of the pro-poor aspects of the new National Assembly's agenda through consultation with senior leadership and other key actors in the new Assembly.
- Endorsement (explicit or implicit) by Assembly leadership for capacity building efforts designed to enable the Assembly to effectively respond to demands for pro-poor change.
- Identification of a cadre of individual Members who demonstrate commitment to poverty-alleviation and proactive participation in catalytic processes that would enable the National Assembly to become more responsive to the needs of the poor.
- Enumeration of specific pro-poor agenda items or activities that fall within the previously identified points of entry and catalysts of change, and that key actors within the Assembly and other domains hope to pursue.
- A strategic plan for immediate pursuit of these specific items or activities, as determined in consultation with key actors.
- Identification of specific committees or other groupings with which to pilot catalytic processes inside the Assembly, and of initial activities as time and resources allow.
- Commitment of a sufficient number of key actors to generate confidence that facilitation of catalytic processes will have the anticipated results.

KEY ACTORS FOR STRATEGIC CONSULTATION INCLUDE

Within the Assembly: New Assembly presiding officers, party leaders, committee chairs, chair of the National Assembly Services Commission, and senior Assembly staff – chairs of all committees for the strategic planning process; chairs of prospective target committees for the

committee strengthening process, e.g., budget, public accounts, privatization, labor and employment, agriculture and rural development, education, and health. Current and former chairs of some committees (e.g., appropriations, public accounts, education, and health). Other Members notable for outstanding constituent services programs and for the expertise and commitment they bring to the Assembly could also be engaged in these processes.

Within the executive: Ministers and senior civil servants from ministries corresponding to the prospective target committee portfolios, Director General of the Bureau of Public Enterprises, Special Assistant to the President for Budget Matters, other senior executive officials with responsibility for executive relationships with the Assembly.

Within epistemic communities: Professional experts and technical experts with strong ties to civil society and/or the private sector, and good working relationships with executive officials, e.g., Lagos Business School, African Institute for Applied Economics, Institute of Chartered Accountants of Nigeria. Some of these professionals will have expertise relevant to strategic planning and/or to the target committees' portfolios. Some of these experts might be engaged as consultants or senior fellows during the processes.

Within civil society: Civil society and private sector leaders, organizations, and networks with interests corresponding to the target committees' portfolios, and locally staffed international NGOs, e.g., Nigerian Labor Congress, Christian Association of Nigeria, Catholic Social Forum, Federation of Muslim Women's Organization, Centre for Democracy and Development, ActionAid, Oxfam, Shelter Rights Initiative, Southeast Budget Monitoring Network, participants in the DFID-sponsored change agents health sector program, Civil Society Action Coalition on Education for All, Nigeria Economic Summit Group.

In addition to these central figures, members of DFID's advisory body for the drivers of change program, authors of drivers of change papers on other domains, staff of donor agencies, and others may suggest additional actors whose input should also be solicited.

APPROACH TO CONSULTATIONS

To develop strategic work plans for pro-poor activities within the Assembly's and other actors' agendas, a first round of one-on-one exploratory consultations could be followed by a second round of meetings in which actors provide feedback on others' inputs. A next step would include consultations with small groups of actors within each domain to encourage brainstorming and collaboration.

Many of these consultations, particularly with actors in the Assembly and the executive, will be political processes that must be approached flexibly and sensitively. Exploratory sessions with Members and staff must be conducted by individuals who are known, respected and trusted.[15]

---

[15] Due to the partisan nature of the Assembly, and the history of rivalry even among prominent Members of the same parties, considerable investigation will be required to identify Nigerians with sufficient stature to command the attention of prominent Members, and who are not perceived as aligned with one faction or another. Preferably these will be individuals who have ongoing relationships with the Assembly.

Phase two implementers must also bear in mind that consideration of strategic planning and processes for strengthening capacity of committees or members to pursue pro-poor aspects of their agendas will necessarily compete with a host of other priority undertakings by key actors in the new Assembly during its first few months of business. Trying too hard to press forward with consultations during this period is likely to result in annoyance and/or lip service, rather than verifiable commitments.

After key actors have confirmed their decisions to proactively pursue pro-poor capacities through individual or small group consultation processes, workshops or leadership planning meetings may be appropriate for developing strategic work plans.[16] Participation by Members and staff, and consultations during the planning process with executive officials and leaders from civil society, media, and the private sector, would generate political support for Assembly adoption of a strategic plan to enhance its responsiveness to the needs of the poor, and help to create effective demand for its implementation.

Given the brief history of an independent legislature in Nigeria and the factors that have constrained the National Assembly's performance since 1999, it is understandable that it has not yet made substantial contributions to pro-poor reform. However, if factors that inhibit the Assembly's development as an agent of pro-poor change are vigorously countered, and if conducive factors are aligned and strengthened, prospects for the Assembly becoming a major driver of poverty reduction and economic development within the medium to long-term are reasonably promising. Consultation with key actors in the Assembly, and across domains, to build consensus, identify priority areas, and conceptualize the means to collaborate in pursuit of pro-poor reform, is the beginning of that transition.

---

[16] Workshops and seminars are often perceived as owned by sponsors, and this is precisely the perception that should be avoided to maximize the Assembly ownership and commitment.

Position Paper:

The Nigerian National Assembly
as a
Driver of Pro-Poor Change

SECTION I

Executive Summary

When identifying potential drivers of pro-poor change in Nigeria, it is important to recognize that change depends on the capacity of societal actors to demand poverty alleviation, and the capacity of public officials to supply appropriate reforms. In many ways, Nigerian civil society and the public at large is "ahead" of the political elite on issues of pro-poor reform, but informal structures in Nigerian governance block these groups' access to political and policy processes. From the "supply" side of pro-poor reform, the Nigerian National Assembly has both substantial potential to be an effective political forum for civil society to press for pro-poor change, but also the formal authority to help drive this change forward. This is not to minimize the substantial challenges that face the Assembly as an institution – informal and inherited structures govern much of the Assembly's behavior and there are institutional weaknesses that must be ameliorated if the Assembly hopes to help drive pro-poor reform. However, political incentives and constituent expectations could converge with other factors to facilitate such pro-poor actions as oversight of the executive, legislative policy development and pursuit of resources and development to their districts.

This position paper identifies four potential roles for the National Assembly in driving pro-poor reform. First, in light of Nigeria's natural wealth, many of the problems associated with pro-poor change stem not from the need for income generation, but from inefficient allocation and distribution of resources. The Assembly's involvement in resource allocation could allow it to intervene in budget processes in ways that promote pro-poor policies. Second, the Assembly can help to establish an enabling environment for pro-poor growth – both in the passage of pro-poor laws and amendments, and in the provision of a public platform for civic groups seeking pro-poor legal and administrative reform. Ensuring fiscal accountability in both the public and private sectors is a third potential role for the Assembly in promoting pro-poor change. Corruption remains a substantial obstacle to successful reform in Nigeria; the Assembly can combat this by promoting proper budgetary expenditures both through its direct oversight role, and by providing external accountability agencies, such as the Auditor General, with a political forum in which to report misuse of funds. Lastly, the Assembly can facilitate evaluation of the impact of government programs on the poor through hearings and by receiving feedback from their constituencies.

There are, however, a wide range of factors adverse and conducive to Assembly-led pro-poor reform. This report enumerates the most important factors, grouped according to historical context, factors internal to the Assembly, and factors relating to the Assembly's relationship with external actors. Among the most important historical factors discussed in this position paper are: 1) regional and ethnic power structures and resource distribution as a means of addressing geographic accommodation 2) a tradition of accessing state resources as the primary means for accruing wealth and 3) concentration of authority and habitual top-down management. Despite these negative historic legacies, a number of positive factors have emerged in recent years. The loosening of restraints on personal freedoms and political opposition has allowed incremental progress in checking previously unfettered private access to public resources by patronage networks. Moreover, increased political competition has created limited incentives for oversight and the assertion of legislative independence.

This report also describes a number of institutional factors that have hindered the Assembly's ability to drive pro-poor change. Political parties with little issue-differentiation reinforce the influence of informal networks within the Assembly. Despite the centralized authority of Presiding Officers, discontinuity in leadership has diverted attention and resources from other legislative business. Because the committee system serves as a means of distributing allowances and benefits, it has become bloated and fragmented. Respect for Standing Orders and Assembly procedures is still evolving, and, although the Assembly has significant resources at its disposal, its staff capacity and infrastructure remain limited.

Despite these obstacles, the Assembly is one of the most accessible government institutions in Nigeria and interacts with a range of external actors. Although its relationship with the executive has been troubled and at times counterproductive, it has provided a meaningful check on executive power and eroded some of the historical legacy of centralized leadership. Interaction with civil society and the private sector through formal structures has been limited, but civil society has developed their advocacy skills over the past four years and there are numerous opportunities for increasing the quality of interactions between the Assembly and civic groups. Interaction with the press is similarly problematic, yet there are examples where positive media coverage of Assembly action has contributed to the Assembly's ability to get executive concurrence on reform legislation. Further, the existence of real pressures and incentives for members to provide for their constituents has the potential to be utilized in pushing for pro-poor change.

An analysis of these factors yields several key points of entry to strengthen the Assembly's ability to lead pro-poor change. First, the position of the Assembly in the Nigerian political system provides a means to affect a web of other actors. While civil society is increasingly capable of demanding change, political elites have not yet responded sufficiently. As an intermediary political institution, the Assembly is well positioned to provide access to civic demands for reform to the political process. Budget monitoring also provides an entry point. Political competition motivates the Assembly to know how the executive is distributing resources, creating incentive for oversight – a critical aspect of addressing issues of corruption in Nigeria. The demand from constituents for anti-poverty measures and the distribution of resources is a third entry point for change. Finally, given the weak formal structures in the Assembly, groups of individual reformers, with tacit support from leadership, can have substantial impact. There appears to exist, both in the past Assembly and in the current class, a critical mass of individual reformers to have an impact on pro-poor reform, if linkages among them are adequately facilitated and supported.

To take advantage of these entry points, this position paper recommends several catalytic processes to move forward the potential of the Assembly to lead pro-poor reform. In the short-term, it is important to identify motivated individual within the Assembly, facilitate coordinated action among them, seek leadership buy-in, and move a targeted pro-poor agenda through the institution. It is also possible to use the window of opportunity at the beginning of the legislative session to lead a process of institutional reform that will facilitate pro-poor change over the medium- and long-term. Specifically, institutional reform would need to include rationalization and strengthening of the committee structure – increasing the committees' ability to monitor budget expenses and pro-poor impact of government policy and increasing the committees'

ability to provide a platform for civic and other groups to place pro-poor change issues on the political agenda. This could be buttressed by targeted technical assistance with constituency services to further develop member incentives to deliver resources and pro-poor development to their districts. In developing political will and buy-in to further these catalytic processes, the position paper recommends a series of additional consultations, as well as utilization of the post-election window of opportunity to support a strategic planning process with the leadership of the new Assembly.

SECTION II

Scope and Methodology

This position paper expands on and illustrates factors treated in NDI's drivers of change inception report (submitted April 17, 2003) and its adjunct to the inception report (submitted May 9, 2003). This paper also includes relevant insights from inception reports for other domains within DFID's Drivers of Change project. For example, the report includes comments on how past factors might have, but did not, lead to institutionalization of an independent legislature capable of driving pro-poor change. Finally, this paper suggests potential points of entry for optimizing incentives and aligning current factors conducive to the development of the Assembly as an agent of pro-poor change, and recommends steps to be taken to identify a strategy for capitalizing on these points of entry.

The paper draws on observations made by Nigerian partners since 1999, its experience providing technical assistance to the Assembly and civil society during this period, and its two decades of experience assisting legislatures in new democracies around the world. NDI conducted key informant interviews with Assembly Members and staff, government officials, economists and policy analysts, constitutional and political analysts, professionals engaged with the private sector, civil society leaders, journalists, and authors of inception reports for several other drivers of change domains. NDI also reviewed selected press releases and articles from 1999 to date. Although a majority of the research conducted relied on primary sources and personal interviews, a list of secondary sources consulted is available on the report's final page.
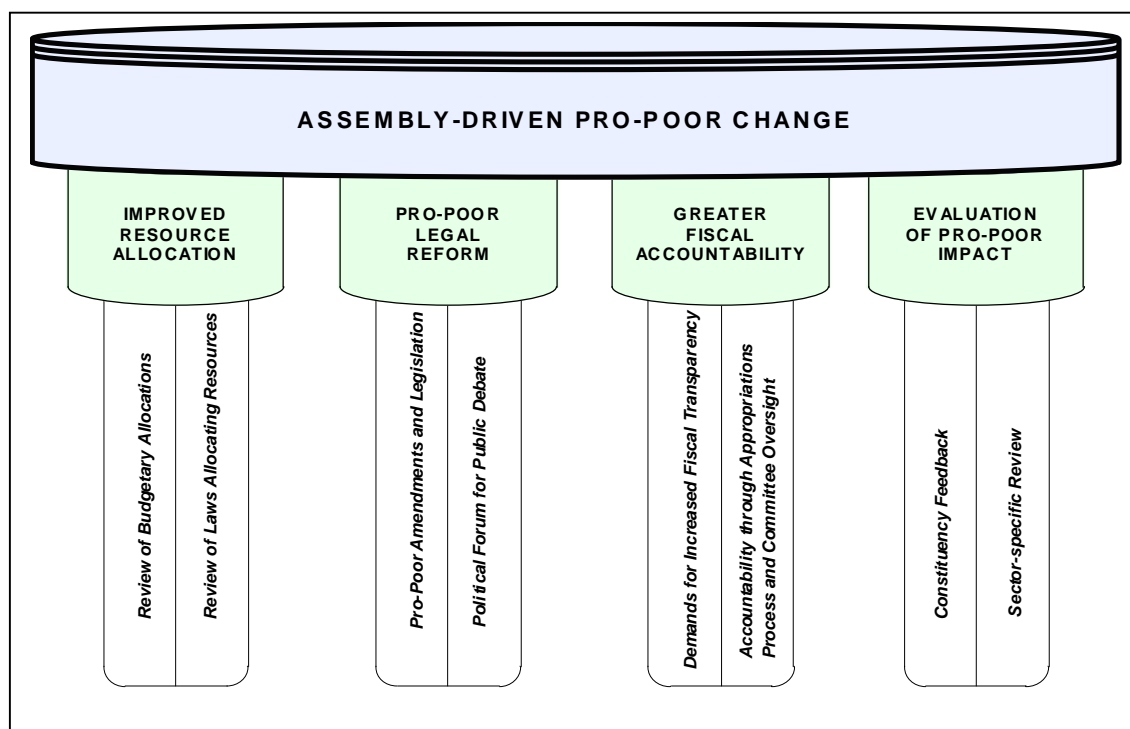
The inception report and this paper were prepared in the period immediately preceding and following recent elections to the Assembly, and this understandably made it difficult to confer with Members. Recommendations for further exploration include additional in-depth consultations with Members and evaluation of the ways in which the results of the April 2003 elections to the Assembly might realign factors over the next four years.

Comments on ways in which informal networks adversely influence the Assembly are noted without attribution. Most of the opinions expressed have also been reported in the press. Nonetheless, these comments are anecdotal, and NDI has not investigated or verified the validity of the assertions. However, perceptions in politics matter; it is important to consider this anecdotal information because it reflects perceptions and considered opinions of observers within and outside the Assembly. All sources for this paper are impressed by the Assembly's successful initial efforts to demonstrate that it can be a check on the executive. In most other respects, sources are very critical of the Assembly and its Members. NDI has, however, had the privilege of working for four years with diligent Members who do serve the nation well, despite considerable challenges. NDI is participating in the Drivers of Change project to help identify ways in which these motivated Members and others can contribute most effectively to the development of the Assembly as an instrument in achieving pro-poor change.

SECTION III

Pro-Poor Roles of the Nigerian National Assembly

The National Assembly has the potential to play a significant role in national poverty reduction efforts. Vested with both legislative and budgetary authority, the Assembly is constitutionally able to pursue its own legislative agenda and negotiate with the executive regarding budget allocation or expenditure. As the representative branch of the federal government in a country with (geographically reinforced) ethnic diversity, the Assembly also offers a representative venue in which to debate national priorities and solutions. From 1999 until 2003, the Assembly repeatedly demonstrated an intention to maintain its independence from the executive, a stance that could eventually foster the democratic checks and balances to reduce misallocation of resources.[1] In order to produce pro-poor reform, civil society members demanding pro-poor change must reach and be heard by governmental actors capable of developing pro-poor policy. The position of the Assembly in the Nigerian political economy allows it to potentially play a crucial role in helping bridge the "demand-side" and the "supply-side" of the pro-poor equation. The Nigerian National Assembly has the potential to play a pivotal role in the pursuit of pro-poor change.[2]

---

[1] The World Bank's 2002 World Development Report notes that while legislative bodies have little capacity to prevent deficit spending, nations with adequate institutional checks and balances were more likely to enforce country-specific financial regulations and policies.

[2] Pro-poor change as defined by DFID for the purposes of the Drivers of Change Initiative in the component one report: change is "pro-poor" to the extent that: 1. Economic growth drivers are such as to create demand for the resources and skills to which the poor have access (for instance, growth based on labor-intensive manufacturing and services or on smallholder agriculture, will be more pro-poor than growth based on the capital-intensive exploitation of mineral resources). 2. The resources of the poor are enhanced (particularly through improved health, education, transport and communications infrastructure) to enable them to exploit the opportunities that growth processes may create. 3. Institutions of particular relevance to livelihoods of the poor are accountable to them/responsive to their interests.

Specifically, the National Assembly could most likely contribute to pro-poor change in the medium to long-term in the following areas: 1) improving pro-poor distribution and allocation of national resources; 2) developing a legal and regulatory environment more conducive to pro-poor change; 3) improving monitoring and oversight of public expenditures; and 4) increasing pro-poor oversight of government programs and policies.

A. RESOURCE ALLOCATION: Improving the distribution and allocation of national resources to the poor, through the exercise of its legislative and budgetary authority.

As a country rich in natural resources, one of Nigeria's greatest challenges in pursuit of pro-poor change lies in its ability to allocate resources efficiently and equitably. Vested with significant budgetary and legislative authority vis-à-vis the executive branch, the National Assembly has the potential to play a significant role in overcoming this challenge. Composed of members from each state, it is also likely to remain the least polarizing venue for debating the allocation of national resources. In addition to its authority to independently propose and pass legislation that directly affects poorer citizens' access to resources, the Assembly also wields significant budgetary bargaining power with the executive through its power of appropriation.

Review of Budgetary Allocations: The Assembly has significant authority over the budgetary appropriations process. Though proposed by the executive, the House and Senate appropriations committees play a significant role in the process, consistently resulting in substantial revisions of proposed bills. While the House and Senate appropriations committees have the greatest budgetary authority, individual ministries and executive agencies are asked to defend their proposed budgets before relevant oversight committees prior to the compilation of the appropriations bill. This enables individual committees to consider the expenditure for poverty-specific issues by ministry or agency. The Assembly can further effect pro-poor allocation and distribution of resources through techniques such as earmarks, notification requirements, expenditure ceilings and floors, etc.

Review of Laws Allocating Resources: There are also a number of laws that directly govern the distribution of resources, including laws that govern revenue sharing and laws that establish mechanisms or authorities for delivering economic development of a particular region or a particular area.[3] These laws allocating resources provide opportunities for the Assembly to build in procedural and substantive guarantees protecting the interests of poor and vulnerable groups. For example, laws establishing development corporations (such as the Niger Delta Development Commission) could include provisions requiring application of certain pro-poor criteria in the design of development projects undertaken by the authority, require consultation with poor and vulnerable groups, or mandate periodic reports on the impact of the authority's program on the poor.

---

[3] Presidential attempts to amend Nigeria's Revenue Allocation Act, without consulting with the Assembly was an extremely contentious issue in 2002. The Assembly, though by no means free of contentious debate, may be the least polarizing venue for debates about the allocation of national resources since it is a branch of the federal government composed of members from each state.

B. LEGAL REFORM: Developing a legal and regulatory environment more conducive to pro-poor change

Although Nigeria's natural resources have great potential for funding pro-poor change, sustainable pro-poor economic development will also require the creation of a legal and regulatory environment that encourages the growth of the private sector. Although the executive is likely to remain the primary source of legislation in at least the medium-term, the Nigerian system does allow the legislative branch a greater role in policy-making than in many countries in the region. The National Assembly can, for example, play a role in setting the legal framework within which state and local governments operate. Moreover, given the positioning of the Assembly in the Nigerian political economy, it is situated to allow access of other potential drivers of pro-poor change to the political system. Enabling legislation (such as health or education initiatives, sunshine laws or freedom of information acts, regulations for revenue allocation, or privatization processes) may also empower actors in other drivers who were previously unable to achieve effective change due to legal barriers. Technical assistance and constructive pressure on the National Assembly to pursue a pro-poor agenda could facilitate several of the catalysts needed to activate other drivers.

Pro-poor amendments and legislation: The National Assembly is empowered not only to consider and amend legislation proposed by the executive, but also to introduce, debate, and pass bills of its own initiative. Between 1999 and 2003, several members and committees drew on this legislative authority to pursue pieces of individual legislation. While the executive branch has principal responsibility for proposing legislation and developing policies for pro-poor change, macroeconomic stability, and economic growth, the Assembly has the formal power to propose and amend laws that modify the allocation and distribution of government resources. For example, the National Assembly may: initiate sector-specific legislation (health, education, infrastructure); review, deliberate, and/or amend anti-poverty legislation proposed by the executive; conduct poverty-impact analysis of all proposed legislation by select committee(s); solicit expert input regarding specific policies; establish frameworks for policy implementation. The Assembly may also use its legislative power to regulate bureaucratic processes to increase efficiency, to account for national revenues, and to ensure that governmental processes are transparent and increasingly accountable.

Acting as a political forum for public debate on pro-poor issues. In many ways, civil society is "ahead" of the political elite on pro-poor policy – the challenge is creating mechanisms for civil society to access the political process and to influence the political elite. Although the Assembly has limited in-house capacity to independently analyze the impact of legislation on the poor, it has the potential to serve as a more open, accessible forum for civil society to participate to affect the political process. Since 1999, a select number of civic groups have used the Assembly effectively as a platform to raise

---

Committees and Civil Society Strategize about Improving the Lives of Women and Youth

In 2002, the Nigerian House Committee on Women's Affairs and Youth Development held its first public hearing to develop policies that could better the lives of Nigerian women, youth and children. Held in collaboration with the civic-led Legal Defense and Assistance Project, the event enabled dialogue between a large group of civil society leaders and National Assembly Members, as well as approximately 150 citizens. The event was convened by the Speaker of the House and chaired by the deputy Speaker, and was attended by representatives of the executive branch, including the Minister for Women's Affairs. Leading up to the hearing, members of civil society and legislators united for a strategic planning seminar in which they created complementary agendas for the event.

pro-poor concerns and help shape policy. Forums or public hearings could be used to pressure the executive, which has capacity but often lacks the will, to prepare legislation on specific pro-poor items.

C.   FISCAL CONTROL: Improving the utilization of government resources for pro-poor change by monitoring compliance with budget allocations and by minimizing misuse of resources

Weak management of public expenditures is another of Nigeria's greatest challenges. In addition to encouraging adherence to stated national poverty reduction strategies, the Assembly could play a critical role in ensuring that government resources are expended properly and in compliance with law. Although there are a range of external financial oversight agencies (such as the Auditor General) that can contribute to improved expenditure control, these institutions need the support of political checks on executive authority, if they are ultimately to be successful in controlling and monitoring executive expenditures. The Assembly can support financial accountability through committee oversight of ministry expenditures, by demanding fiscal transparency and improved control mechanisms, and by investigating and publicizing misuse of government funds.

Committee oversight measures: The Assembly's committees offer specific venues for monitoring national expenditure through public hearings, investigations, and the preparation of committee reports. Although the Assembly committee system is large and unruly, its structure at least partially matches the proliferation of executive agencies that they oversee. Nigeria's federal structure and revenue allocation system, which apportions a percentage of total national revenue directly to federal, state, and local coffers, does not provide an official mechanism for Assembly review of state-level expenditure, but committees might provide a venues for publicizing the amount of funds allocated to federal, state, and local governments, or to investigate the results of particularly successful initiatives funded by non-federal levels.

*Demands for increased fiscal transparency***:** Because Nigeria's wealth is primarily derived from oil, the National Assembly could play a logical role in demanding greater transparency on the part of state-run revenue-generating industries. Although it falls to the Auditor General and other accountability institutions to investigate revenue inflows and shortfalls, the National Assembly provides a venue in which findings can be made public and used to trigger increased demand for access to public information. By bringing such information to light and placing it on the political agenda, the Assembly could assist other potential drivers of pro-poor change (media, civil society organizations, and political parties) in disseminating information about government expenditure and mobilizing popular demand for greater fiscal accountability.

> **Committee Investigation of Missing Public Funds**
>
> In the spring of 2003, the House Committee on Petroleum Resources held a public hearing to investigate allegations by the chairman of the Revenue Mobilization and Fiscal Allocation Commission (RMAFC) that the Nigerian National Petroleum Company had failed to forward N3 billion in revenue to the Consolidated Federal Account. The hearing sparked extensive media coverage regarding oil revenues and federal collection mechanisms, and tremendously increased the information publicly available. A similar June 2001 hearing in which the Senate Public Accounts committee investigated a N2.3 billion diversion of National Electric Power Authority (NEPA) funds to individual private accounts set the precedent for legislative investigation of revenue shortfalls.

Strategic use of the appropriations process: Although not presently coordinated to maximize oversight capacity, the Nigerian appropriation process could be modified to ensure the flow of ministry reports on previous expenditures to Assembly oversight committees more effectively. Increasing the linkages between a review of past expenditures and future requests could create incentives for more efficient use of resources and create disincentives for resource misallocation. In addition, there may be ways to increase the Assembly's role in more specifically allocating funds within each ministry's budget.

D. EVALUATING PRO-POOR IMPACT: Evaluating the pro-poor impact of government programs and policies while maximizing the use of resources for effective pro-poor programming

In addition to ensuring financial accountability, the Assembly's oversight powers enable it to evaluate the effectiveness of ongoing programs and to recommend or initiate necessary program adjustments. As a federal body with connections to each Nigerian state, the Assembly is positioned to evaluate the impact of national socio-economic anti-poverty initiatives at the national, regional, state and local levels.

Sector-specific Committee Investigation: Committee investigations and hearings remain one of the simplest mechanisms to gather and consolidate information regarding the outcomes of specific anti-poverty measures. With assistance of appropriately skilled staff, Assembly committees could also analyze the effects of policy, legislation, revenue-raising, and budgets on various segments of society. Assembly committees also have the potential to play a role in ensuring that government decisions regarding pro-poor programs are transparent and equitable, and that overall government policy is implemented in a way that mitigates negative consequences for poor and vulnerable groups.

Constituency Feedback: Assembly Members are elected by constituents to serve local interests and the interests of the nation as a whole. As a result, Members are able to obtain information pertinent to their legislative and oversight responsibilities, not only from the executive and internal sources, but also from constituents, grassroots community-based organizations, interest groups, civil society and the private sector. Input and feedback from these sources is essential for the Assembly's ability to ensure that government programs actually promote poverty reduction and inclusive economic development.

NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

SECTION IV

Factors Adverse & Conducive to Assembly-Led Pro-Poor Reform

The forces that govern Assembly behavior and performance are products of a range of factors that emerge from the historical context within which the Assembly operates; from the actors, institutions, and processes within the Assembly; and from the nature of the relationships between the Assembly and external institutions and actors.

HISTORICAL CONTEXT

The Assembly's performance is reflected in actions of internal agents and institutions, as well as relationships with external agents and institutions, all operating in an environment shaped by Nigeria's history of colonial and military rule. This context will affect the political economy for many generations to come and imposes serious challenges for pro-poor reform. However, some incremental changes have occurred over the past few years, and factors that could be aligned to effect pro-poor reform are slowly emerging.

1.   Regional or ethnic power structures and geographic accommodations

Political conventions, such as zonal and state distribution of executive and Assembly leadership positions, officially intended to mitigate factionalization of the polity along regional and ethnic lines, also reflect the historical practice of ensuring access to public resources by politicians and power brokers from various ethnic groups and geographic areas. In the Assembly' the practice of zoning reinforces historical distributional proclivities and relationships between Members. Moreover, regional/ethnic allegiance structures within the Assembly have diverted institutional human and financial resources from areas in which the Assembly could make substantial contributions to poverty reduction and inclusive economic growth

2.   Access to state resources as the primary means for accruing wealth

Nigeria's dependence on oil as the primary source of national revenue, and the federal government's preponderant control of that revenue, restricts access to national income. This reinforces the historical pattern of participation in government and interaction with public officials as the primary avenues for pursuit of economic self-interest. The paucity of economic opportunities independent of relationships with or employment in government inhibits the development of centers of power outside government capable of calling government, including the Assembly, to account for improving standards of living for citizens. Commentators are dismayed that many political actors seem to regard the use of public funds to trade favors for personal financial gain as a respectable way of doing business.

3.   Concentration of authority

The governance culture within which the Assembly operates reflects a top-down psyche inherited from colonial and military rule. Many actors in all segments of the polity are impatient with consultation and due process, and with the checks and balances characteristic of democracy. Many executive officials behave as if the executive branch still had unilateral authority to make

government decisions while the Assembly has allowed a small circle of Members to assume de facto authority within the institution. Most citizens at the grassroots continue to expect public officials, irrespective of branch of government, to deliver benefits as if by fiat.

4.   Recent emergence of positive factors

While democracy has not yet yielded significant positive changes in standards of living for poor Nigerians or a level of economic growth that could sustain long-term poverty reduction, restraints on personal freedoms and opposition imposed by military rule have been relaxed. Limited incremental progress has also been made in checking unfettered private access to public resources by patronage networks, and in loosening the grip of government on all significant sources of national wealth. Perhaps the most salient change is the broad-based and vociferous assertion by citizens that the military must never be allowed to return to government. This is due in large part to

> **The Assembly as a Parallel Power Structure and a Check on the Executive**
>
> Although the National Assembly's assertions of independence and authority have tended to be extreme (e.g.: attempted impeachment of the president, battles over the annual budget, etc.), their actions have set a precedent for legislative power previously unrealized in Nigeria. By demanding executive attention and resisting attempts to dismiss legislative authorities, the Assembly has forced Nigeria to begin transitioning from concentrated military-style authority to a system of checks and balances system. Though greater capacity is needed to exercise checks on the executive, the Assembly's actions have already forced a greater balance of power.

unprecedented excesses in personal appropriation of public resources and repression of opposition under the Babangida and Abacha regimes. Since 1999 it has also become apparent that there is no longer a uniform identity of legislative and executive authority. These factors together have contributed to the nascent but perceptible emergence of alternative power structures that, if nurtured and supported, could counter endemic historical forces that block pro-poor performance by the Assembly and other branches of government.

INSTITUTIONS AND ACTORS WITHIN THE NATIONAL ASSEMBLY

The Assembly's incentives and capacity to drive pro-poor reform are also shaped by the characteristics of internal institutions, actors, and processes; links to regional and ethnic power structures that exert substantial control over public resources; and weak aggregating forces that, in other settings, support contributions by legislatures to poverty reduction. However, as in the country as a whole, there is evidence of positive factors gathering strength within the Assembly that are conducive to its development as an agent of pro-poor change.

1.   The absence of effective political parties or differentiable ideologies lends informal networks greater influence

Party seats in the Assembly are more or less concentrated within regions, and parties are linked to regional and ethnic networks that influence distribution of political power and resources; they do not inform debate by articulating differentiable positions on measures for alleviating poverty or encouraging economic growth. Selection of candidates is, to a large extent, a market process that screens out many individuals who would be motivated to serve the national interest.[4] Once

---

[4] In 1999 many expert and upright prospective candidates declined to run because they were skeptical that an independent legislature would endure. In 2003, many were deterred because they held the Assembly in low regard and did not expect it to be an effective instrument of pro-poor reform and economic development.

elected, opportunities abound for Members to secure financial rewards through patron-client relationships. In most cases, there are no adverse consequences for rent-seeking and few effective rewards for dedication to pro-poor interventions.

Parties in Nigeria were newly constituted as political agents in a democratic framework only four years ago, and have yet to develop differentiable issue-based positions. Most sources for this paper describe the role of parties within the Assembly as insignificant. Debates are rarely along party lines, and party members rarely vote as blocs. Even though the same party controls the presidency and the majority of seats in both houses, the most protracted controversies during the 1999 to 2003 period have been between legislative and executive members of the majority party who took opposing positions. Many sources say the vacuum created by the absence of strong party caucuses has facilitated the assumption of executive privileges by presiding officers. Most agree that weak party structures reinforce tendencies among Members to act primarily in their own personal interest.

> **Lack of Party Loyalty**
>
> During the lead up to elections in April 2003 many Members changed party affiliations some several times, simply to find parties that would nominate them for re-election. One source for this paper reported that more than half of the Senators elected on the majority party ticket in 1999 no longer belong to that party.

Weak political parties reinforces the persistence of informal networks as major aggregating forces. Critics say Members secure nominations through a market process linked to the financial interests of regional and ethnic power structures and, once elected, are expected to direct financial benefits to political "godfathers" and their networks. This is described as a strikingly efficient means for aggregating support for, or opposition to, initiatives in the Assembly. Many sources cite multiple alleged examples of patronage used to mobilize support or opposition for bills and motions in the Assembly. In the words of one source, "People don't stand on issues here, they stand on money." Allegations range from "suitcases of Naira" used to buy votes during attempts to remove presiding officers, to tales of Members asking, "How much will you pay me to support your bill?"

2. Discontinuity of Assembly leadership and executive control by leaders

Discontinuous leadership, controversies over replacement of presiding officers, and the practice of assigning leadership positions to Members from specified geopolitical zones have disrupted Assembly proceedings and diverted attention from legislation and oversight. Executive control of Assembly business and financial resources by presiding officers has further created alternative power structures within the Assembly, and diverted funds that would otherwise have been available for the development of institutional capacity.

The Assembly took office in 1999 with a military-driven culture of limited knowledge base, no institutional memory, and extreme challenges imposed by endemic corruption. The Assembly's first three years witnessed two different Speakers and three Senate Presidents; controversies over the suitability of presiding officers have repeatedly overwhelmed Assembly proceedings, and shifted focus away from pro-poor legislation or oversight.

Many sources report that the pursuit of patronage, weak political parties, and the tendency to concentrate power contribute to a situation in which presiding officers exercise largely unfettered executive control of the Assembly's financial resources with little or no internal accountability.

Critics assert that Members often support or oppose bills and motions to curry favor with leadership, and that this *de facto* authority is conferred by presiding officers' ability to confer or deny lucrative committee posts, and approve or disapprove allowances for trips, staff, and medical claims.

These practices are not legally entrenched, but are taken for granted by many Members as normal prerogatives of authority. Members who disagree do not speak out for fear of personal consequences. In addition to draining resources potentially available for constructive uses, patron-client relationships weaken nascent tendencies in the Assembly to hold presiding officers accountable to Members for facilitating pro-poor legislative and oversight agendas.

3.   Bloated and fragmented committee system

Committee systems in the Senate and the House are bloated, fragmented, and have absorbed a large part of the Assembly's resources with relatively few substantial results. Although the distribution of committee posts as member rewards has inflated the number of committees, few Members have sufficient expertise or interest in the undertakings of standing committees. Those who do are discouraged by the limited attention paid by the Senate and House to reports of standing committees.

Like party caucuses, committees are driving forces in effective legislatures. They are venues where alternative policies and legislation for poverty reduction and economic development are discussed and debated in-depth; executive officials are constructively engaged; input is received from knowledgeable professionals, civil society organizations, and the private sector; and oversight of the executive is pursued. While the Constitution and Standing Rules of the Senate and House provide a good legal framework for committees, most sources for this paper agree that thus far most committees have accomplished very little. If the challenges that impede the development of strong committees are not addressed, the likelihood that the Assembly will become an effective agent of pro-poor change will be substantially diminished.

The number of special and standing committees more than doubled during the past four years. The current Senate has had more than 60 committees, the House more than 70, and numerous *ad hoc* committees were created to deal with single issues. The inflated committee system consumes Assembly resources inefficiently and often illegitimately[5], disaggregates oversight, and inhibits concentration of expertise among small cadres of Members who should be responsible for informing debate on important national issues. To give one example, the current Senate and the House each have committees on the army, the navy, and the air force, as well as committees on defense.

Problems created by committee proliferation have been exacerbated by the frequent replacement of committee chairs and Members, often as reward or punishment. For example, in 2000, the House Committee on Ethics and Privileges spent months deliberating on a Code of Ethics, with the help of technical experts, a study mission to the United States, and a study of codes adopted by many other legislatures. An excellent bill was drafted, but the chair of the Committee was

---

[5] Ironically, the recent Auditor General's report cited outstanding advances to committees as the largest block of Assembly funds for which proper accounting had not been submitted.

changed, and the new chair did not move the process further. In other cases, however, even when committee chairs changed rapidly or offered weak leadership, they rarely obstruct committed Members from fulfilling their duties. Progress can, to some extent, be sustained through committee membership.

Impediments generated by committee proliferation and turnover are compounded by the limited opportunities, skills and experience of Members and staff. Most Members, for example, are unable to question witnesses productively. In-depth discussion is a rarity; most public hearings are simply a series of speeches. Some committees have submitted well researched analytical reports, informed by input from civil society and the private sector, and then had their reports ignored in cursory debates in the plenary. The fate of these committee reports highlights the inexperience of Members in lobbying peers in the Assembly, executive officials, and stakeholders outside government for political support for committee recommendations. Weak technical support also constrains committees, as they do not have sufficient qualified staff.

> **House and Senate Public Accounts Committees Investigate Use of Public Funds.**
>
> During the 1999-2003 term of the National Assembly, the House Public Accounts Committee conducted a series of comprehensive oversight hearings to examine the records of dozens of government agencies that had not been audited in the past several years. In addition, the committee worked to make the Auditor General both stronger and more accountable to the legislative branch. In August of 2000, the committee ran a two-day workshop with its members, the Auditor General, the Accountant General and the Public Accounts Commission to discuss oversight roles and possibilities for cooperation. Similarly, in June 2001, the Senate Public Accounts Committee began a public hearing on the circumstances surrounding the diversion of N2.3 billion (approximately US$20 million) allocated to the National Electric Power Authority (NEPA) into a private bank account. The committee investigated why the money was not kept in the consolidated federal revenue fund as constitutionally mandated.

Despite the constraints, some committees have worked diligently to explore pro-poor policy and legislative options and conduct oversight. For example, budget analyses and negotiations among peers in the Assembly by Senate and House Appropriations Committees have been impressive considering the small number of expert staff in these committees. The Public Accounts Committees have devoted serious attention to investigating public expenditures and the Senate and House Committees on Ethics and Privileges did report Codes of Conduct to their respective houses for ratification.

To address some of these issues, there are moves underway in both chambers to significantly reduce the number of committees. The Senate Rules and Business Committee passed a resolution that would reduce the number of committees to 30 and similar consolidation of committees is under active consideration in the House. It remains to be seen whether these initiatives will succeed the new Assembly. Moreover, even if these initiatives do succeed, the short-term number of committees will continue to outstrip the Assembly's internal technical support.

4. Weak institutions and incentives for ensuring the rule of law within the Assembly

External institutions and internal systems intended to ensure accountability for the use of public resources have not curbed financial malfeasance within the Assembly. The Assembly has tolerated expedient disregard for constitutional provisions and Standing Rules.

Despite interventions by the Independent Corrupt Practices Commission and the Auditor General, critics aver that most financial malfeasance by Members has gone without redress. Indeed, the Assembly's current attempts to unseat the Commission, allegedly because the

Commission is investigating influential Members, and re-assignment of the Auditor General soon after an audit report cited financial irregularities in the Assembly, indicate that the watchdogs may be more at risk than the actors whose behavior they are intended to check. Disregard of constitutional provisions also damages the Assembly's credibility as the law-making branch of government and reduces the political capital at the Assembly's disposal for driving pro-poor change. [6]

5.   Limited skills and poor incentives create unproductive legislative processes

Legislative productivity is inhibited by inexperience with political or technical processes required to move a volume of bills expeditiously through a bicameral legislature, and to obtain concurrence by the executive. Further, Members have not had reason to expect personal benefits from attention to pro-poor legislation. Thus, between June 1999 and mid-April 2003, only 16 bills other than appropriations and supplemental appropriations were enacted into law. At that time, four more awaited assent by the President, and five had been passed by both chambers but had not yet been sent to the president.

The Assembly's short history as a democratic bicameral legislature is also an impediment to legislative productivity. Members have very limited experience in negotiating and lobbying for bill support from peers in the Assembly and executive officials, and few have actively cultivated political support from civil society and the private sector that would facilitate expeditious passage of legislation. Despite multiple impediments, many commentators believe more might have been accomplished by the Assembly had it made better use of political capital. In 2000, the Assembly was lauded for its amendments to strengthen the first corrupt practices bill proposed by the executive, and for its ability to secure concurrence to the amendments by the president. The Assembly could have used political capital generated by the success of this bill to

> **Committee Activity Contributes to Availability of Public Information.**
>
> Despite limited progress on the passage of laws, committee activity does contribute to public awareness of key political and economic issues. The Standing Rules provide for both referral of bills and oversight of government ministries and agencies by committees, and the Assembly already makes use of ad hoc and standing committee systems for these purposes. Some standing committees such as the Senate Appropriations Committee, have performed credibly despite serious constraints; there has been significant (albeit more sporadic) attention to investigating public expenditures through the committee system; and the House Education and Health Committees have solicited input from experts in civil society on pro-poor policies and legislation. Media coverage of public hearings and investigations has helped to break down barriers to information for civil society and non-state actors.

mobilize support within and outside the Assembly for passage of other important legislation, such as the bill to implement the international convention on children's rights, or to strengthen its hand in negotiations on oversight. Instead, the Assembly dissipated political support by what is widely perceived as self-serving behavior. Other legislation has languished, not for lack of

---

[6] Many sources report that most Members are not familiar with details of Standing Orders, rules for administrative or financial procedures, and many do not understand constitutional provisions as they apply to complex situations in the Assembly. According to press reports, in two of the four sessions since 1999, the Assembly sat for fewer than the 182 days per year required by the constitution, and one chamber recently passed the bill that would disband and replace the Independent Corrupt Practices Commission without a quorum present. Although the constitution requires Members to vacate their seats if they change parties during their terms of office, Members who change parties have retained their seats without challenge, indicating both the insignificance of parties as power blocs within the Assembly, and of tolerance of disregard for the constitution. (The Constitution provides an exception if parties splinter or merge, and some Members have invoked this exception as the basis for retaining seats).

political support, but simply because of inattention to business. Many more bills might have been enacted into law had Members focused systematically on a legislative agenda.

Ironically, now that the Assembly is soon to be dissolved, the Speaker has repeatedly run four-page multi-color public announcements of a detailed legislative agenda in all major newspapers and planned several days of public hearings. The agenda is co-sponsored by the Deputy Speaker and party leaders in the House. This is construed by many as implicit recognition that few bills have been enacted into law since 1999, and an attempt by Assembly leaders to counteract broad-based public dissatisfaction.

## 6.	Inadequate staff support and infrastructure

The Assembly lacks qualified staff and continuous access to professional experts to support Members and facilitate continuity in pursuing pro-poor legislation and oversight. Inadequate technical support for budget appropriations and monitoring is particularly crippling. Members also lack qualified staff to service constituents. This limits input from poor citizens on their needs, the quality of government programs at the grassroots, and ultimately, the services citizens should be able to expect from Members.

Most Assembly staff are not trained, empowered, or motivated to provide professional public service, as conditions of service are poor and remuneration does not correspond to responsibility or performance. Many Members who receive funds for personal legislative aides and constituency office staff pocket much of the money themselves. Continuity of staff assignments has also been problematic, and the proliferation of committees has resulted in staff assigned to multiple committees. The Assembly's library and research capabilities are extremely limited, and the Assembly does not have continuous access to economists, accountants, policy analysts, and attorneys who could provide technical expertise and support to the Assembly in driving pro-poor change.

Some steps have already been taken to counter a number of deficiencies. The National Assembly Services Commission has promulgated new guidelines for recruiting, assigning, and paying staff, and the chair has been a strong advocate for consolidating committees so each can have a full and continuous complement of staff. Demand is strengthening within the Assembly for the establishment of a legislative budget and research office modeled on the United States Congressional Budget Office, albeit more limited in size and scope.[7] A Joint Senate and House Information Technology Committee has also been established to set policy for the Assembly in this area. To date the Committee has developed a five-year strategic plan to build the Assembly's IT capacity and complete the first two phases of the plan. The Assembly's continued development of capacity to use modern information technology will help substantially in strengthening professional staff and infrastructure support.

---

[7] Such an office could make expert analyses and information available to civil society to facilitate contributions to national debates on policy and legislative options, and give citizens tools for use in holding government accountable for its performance.

RELATIONSHIPS BETWEEN THE NATIONAL ASSEMBLY & EXTERNAL INSTITUTIONS AND ACTORS

Assembly relationships with actors and institutions in other domains not only shape the nature of Assembly activity, but offer insight into the factors and trends that could be aligned within and across domains to remove barriers to collaboration in promoting poverty reduction, macroeconomic stability, and inclusive economic growth.

1.   Counterproductive relationship with the executive[8]

Conflicts with the executive have diverted attention from pro-poor legislation and oversight. The Assembly's use of harsh measures to exert its prerogatives has inhibited constructive engagement between the two branches of government on less politically charged issues and on the collaborative pursuit of pro-poor undertakings. The Assembly's vastly inferior knowledge base and institutional machinery have also handicapped the Assembly in its interactions with the executive. This is especially evident in the budget process. However, the executive has come to recognize the Assembly as a power structure that must be engaged to avoid a negative impact on the executive agenda.

During the 1999-2003 term, the Assembly demonstrated capacity to take strong, constructive steps to balance and improve executive proposals on important national issues. (The fact that within its first year the Assembly secured concurrence with amendments that strengthened legislation initially proposed by the executive to curb corrupt practices is a case in point.) However, the Assembly's use of the threat of impeachment to exert its prerogatives precipitated protracted hostilities that overwhelmed other Assembly business. Relationships between committees and executive officials are strained, and information is exchanged only sporadically. Many say executive officials resent demands from an inexperienced legislature with an inferior knowledge base, i.e., "small boys" making demands on "big men." Some officials ignore requests; others cite an atavistic law that makes many documents confidential without official authorization. As noted above, inadequate access to information is particularly troublesome to the Assembly in exercising its prerogatives with respect to the budget.[9]

> **Increasing Executive Engagement on Mutual Agendas for Pro-poor Change**
>
> Despite a rather confrontational relationship with the Assembly since 1999, the executive has made some gestures towards greater inclusion of non-state actors. To give two examples, the executive appointed a respected civil society activist to head the executive's Education for All initiative, a critical policy for poverty reduction, and a dialogue between the Chief Economic Advisor to the President and the leader of the Nigeria Labour Congress was recently broadcast nationally on the state-controlled television network. Increased capacity of pertinent Assembly committees, and mobilization of advocates within the Assembly on these issues, would make the Assembly a player in cross-domain participation in these important national debates.

While the Constitution grants broad budgetary authority to the Assembly, some provisions also constrain the Assembly's use of this authority. The Constitution says the President may submit a proposed budget for a given year to the Assembly any time during the preceding year – indeed,

---

[8] The executive, as well as the Assembly, is influenced by informal networks. However, NDI's treatment of the executive is limited to factors that impede or facilitate legitimate interactions between the Assembly and the executive.

[9] The Revenue Mobilization Allocation and Fiscal Commission is responsible for proposing to the President formulas for allocating revenue from the Federation Account. The Assembly is responsible for determining the formulas. According to sources, both are inhibited by inadequate information from the executive, and some suggest that they might obtain better access to information by joining forces.

the President could submit a budget on December 31st for the year beginning the next day.[10] Since 1999 the President has submitted budgets late in the year. Sources say the Assembly is not consulted or briefed in advance and does not receive timely reports of actual current year revenues and expenditures. Nevertheless, the Assembly is under pressure to act quickly on budgets without the technical support available to the executive. Time taken to review proposed budgets and substantial amendments by the Assembly have contributed to friction between the two branches of government. Under military rule, the chief executive simply read the budget to the legislature at the beginning of the fiscal year and the budget took effect immediately. When the President took office in 1999, there was an expectation that the Assembly would approve budgets quickly, without substantial amendments. Until the executive and the legislature develop the practice of respectful routine consultation, the Assembly is likely to have difficulty securing executive concurrence with many of its interventions, and this will impede development of the legislature as an agent of pro-poor change.

The Assembly's own budget is also at issue. The executive controls disbursements of funds to the Assembly, and amounts received are typically less than approved budgets.[11] Nonetheless, this creates tension between the Assembly and the executive. The Revenue Mobilization Allocation and Fiscal Commission has suggested that making funding for the Assembly a first line draw from the Federal Account would mitigate this tension. This would, however, require an amendment to the Constitution, and states would be unlikely to approve such an amendment.

Some sources believe groundwork has been laid for more constructive engagement between the Assembly and the executive. However, for the past four years in Nigeria (and as typical in other new democracies) donors and other external sources have provided substantial technical and financial assistance to the executive, and by comparison, relatively little to the legislature. Given the importance of the legislature to the consolidation of democracy and pro-poor change, assistance in leveling the playing field by providing more support for the Assembly seems warranted.[12]

2.   Counterproductive relationships with state and local governments

Competition between Members and state officials for financial resources and constituents' loyalties adversely affect the Assembly's interest in shifting power and resources from the federal level to state and local governments that have primary responsibility for many programs that directly assist poor citizens at the grassroots.

Most sources say mutual disaffection is based primarily on competition for control of financial resources (legitimate and illegitimate), rather than on disagreement in principle about the level at

---

[10] The draft Constitution submitted to the Assembly by its joint constitutional review committee would require submission of the proposed budget four months before the beginning of the year.
[11] The executive maintains that if revenues are below estimates, disbursements must necessarily be less than approved estimates of expenditures.
[12] Most external assistance sought by the Assembly during its first four years has been in response to immediate short-term needs. The Assembly has not planned requests to optimize the strategic impact of external assistance, and donors have not focused on achieving synergy through their interventions. Donors might increase benefits to the Assembly by forming a donor working group for the Assembly, like the group that regularly confers on assistance for agriculture and rural development.

which government services are most effectively delivered. Sources cite many examples of state and local officials blocking infrastructure projects supported by Members, and *vice versa*, because of competition for "kickbacks" from construction projects and political support from constituents. One source said the Assembly delayed finalizing its input on the budget for 2003 primarily to deny state officials access to funds that might be siphoned from the public purse to support state election campaigns.

3.   Limited engagement with civil society and the private sector

Most Members and committees have not taken advantage of the expertise in civil society and the private sector to deepen understanding of alternative pro-poor policy and legislative options, nor have they mobilized support from these domains to press pro-poor interventions with peers in the Assembly and the executive. Similarly, leaders, organizations, and professional experts from civil society and the private sector have not made effective demands on the Assembly. Many do not direct advocacy to the Assembly because they do not expect to receive serious attention and/or they do not expect the Assembly to be able to secure concurrence from the executive.

Within the past four years, the degree of organization for advocacy within civil society and the private sector has increased. Civic organizations with expertise and interests in several sectors critical for poverty reduction have developed networks, albeit fragile and as yet largely untested, to aggregate political power and facilitate exerting influence at the national level. Concerned professionals with strong ties to civil society organizations and the private sector have demonstrated interest in assisting in developing expertise within the Assembly.

Sustained engagement between the Assembly, civil society and the private sector[13] would increase the Assembly's capacity to drive pro-poor reform and inclusive economic development. However, attitudes of Members toward civil society have impeded the development of such relationships. Actors in civil society are most likely to influence the Assembly if they have national or regional presence, credibility based on expertise and/or service delivery, and ideally, links to blocs of voters. Many Members still discount civil society's input, even when leaders and organizations do have national presence, respect, and expertise, because they view it as hostile, or without significant constituency support.

Conversely, public perceptions of the Assembly have also inhibited relationships. Due to the legacy of centralized military rule, many in civil society believe advocacy directed to executive agencies is more likely to achieve results than that directed at the Assembly, and that State governments are unresponsive and riddled by corruption. Even so, given a choice of struggles for government accountability, some civil society leaders and organizations prefer advocacy at the state level, closer to their constituencies at the grassroots. The fact that civil society has thus far largely failed to make effective demands on the Assembly is also due in part to capacity issues.

---

[13] In this paper "civil society leaders and organizations" refers to domestic NGOs, locally staffed international NGOs, community based organizations, sectoral organizations (e.g., professional and service delivery organizations with interests in education, health, and smallholder agriculture), trade unions, faith based organizations; related think tanks, academic institutions, and professional associations; and spokespersons for such institutions. "Private sector leaders and organizations" refers to private businesses, financial institutions, and business associations; related think tanks, academic institutions, and professional associations; and spokespersons for such institutions. NDI's treatment of civil society and the private sector in this paper is limited to current factors that impede or facilitate legitimate interactions between the Assembly and civil society and the private sector in the short to medium term.

Pro-poor civil society organizations with expertise and reputations for service delivery have been unable to set priorities among competing objectives or develop focused advocacy campaigns.

8. Ineffective relationships with media

Despite extensive media coverage of politics, public affairs, and scandals, negative coverage of the Assembly has not resulted in abatement of rent-seeking or increased attention to legislation and oversight. Media professionals do not ask Members hard questions about alternative policy and legislative options, and few Members seem to seek out media professionals or cultivate ongoing working relationships with them. In general, media reporting is too turgid, imprecise, or esoteric to present members' view and actions accurately.

In Nigeria, media coverage of politics, government (the executive more than the Assembly), and corruption in the public sector is prolific. There are many independent media organizations (particularly print media), and they typically report opposing points of view. However, there is little reported about consequences to Members of the Assembly for corruption or scandalous behavior, or about Assembly initiatives that would make substantial positive contributions on issues of national importance. Although public officials in many settings are chastened by media exposure of corrupt practices and reap political rewards for favorable media coverage of interventions in the public interest, thus far, derogatory media coverage has neither motivated Members to eschew malfeasance nor stimulated more aggressive pursuit of legislation and oversight by the Assembly as a whole.

Laudatory media coverage of the Assembly's amendments to the first Corrupt Practices Bill establishing the Independent Corrupt Practices Commission apparently contributed to the Assembly's ability to secure executive concurrence. However, there have been voluminous reports in the press decrying the Assembly's recent passage for a motion to override the President's veto of a bill that would disband and replace the Commission. Despite excoriation in the press, the Senate and House have not reconsidered their positions. Many believe this is because the Commission is actively investigating malfeasance by prominent current Members.

Nonetheless, during the past four years, some Members and a few committees have made serious, if sporadic, efforts to move reform agendas, conduct reasonable even-handed oversight of the executive, and promote pro-poor policies and legislation. The paucity of media reports on these initiatives illustrates the Assembly's typical failure to make effective use of media to publicize and mobilize political support for positive Assembly initiatives.

9.   Lax and dysfunctional constituent services.

At present, elections provide the only mechanism for constituents to hold Members accountable for their performance, and a majority do not understand the respective roles of legislators and executive officials in service to citizens at the grassroots. Most constituents expect Members to deliver local infrastructure projects within short periods of time, and some Members are also able to compensate for years of neglect by giving poor constituents small payoffs for votes in elections.

Effective constituent services require concerted efforts by Members and constituent office staff. However, many Members are unwilling to invest their own time, and have not established bona fide constituent offices staffed by individuals qualified and motivated to serve the public. To demand responsive behavior by Members is beyond the reach of most poor constituents who are neglected by Members and often pacified by small payoffs at politically opportune times. Results of the recent elections may, however, indicate that such practices are unlikely to secure re-election of some Members, either because voters reject

> **With Technical Assistance, Members Have Demonstrated Enthusiasm for Practical Constituency Relations.**
>
> A considerable number of current Members have served their constituents well, not simply by securing projects, but also by facilitating access to services; arranging for (and in some cases, funding) scholarships; sponsoring health fairs, local HIV/AIDS awareness campaigns, and other beneficial community events; and supporting communities to organize self-help initiatives. Individual Members' efforts to respond to constituency needs varied by district. For example, one Honorable Member conducted a constituency outreach tour of his district in an effort to connect with citizens; another opened a district office with eight staff, started a small private newspaper, and launched a constituent newsletter; and a Senator from the southwest relocated his constituency offices in an effort to have access points in each of the large district's nine of the local government areas. Other members reached out to the population through interactive radio call in shows that reached tens of millions of Nigerians, especially in the country's Northern regions. In collaboration with the Transition Monitoring Group, several Senate and House members participated in shows characterized by active caller participation, a vigorous exchange of views and ideas, and an increased public enlightenment on the legislative process. Over the long term, such interaction will increase demands for pro-poor change placed on Members by their constituents.

them, or because parties deny them candidacies for fear of losing seats in the Assembly.[14]

Constituents who *are* vocal about their demands typically expect Members to perform functions that are executive responsibilities, e.g., securing contracts for local infrastructure projects such as boreholes and roads. Telling constituents that the Assembly only appropriates funds, and that Members can only advocate for inclusion of local infrastructure projects in executive plans, falls on deaf ears. Constituents' expectations do, however, provide various Members with a range of incentives for delivering projects in their constituencies.

Some Members seek funding through appropriate advocacy to executive officials. More typically, however, Members bloat national budgets with appropriations for constituency projects that sidestep administrative planning processes and outstrip revenue estimates. When revenues are not realized and projects are not funded, Members fault the executive. This contributes to hostility between the Assembly and the executive and reinforces the pernicious notion that poverty reduction depends on a series of discrete projects rather than on the systematic reallocation of public resources. Members will, for example, pursue power generators for their districts rather than seek opportunities to extend the electrical grid because the former requires

---

[14] These are not the only factors that contributed to the high turnover in the recent elections, and may not even be the most significant factors. Most sources agree that many current Members were simply outbid by other prospective candidates in the market process for securing nominations.

less bureaucracy and is achievable within one term while the latter requires more political effort. Faced with these choices, many Members forgo all legitimate approaches and rely on patronage and informal networks to secure constituency projects and gain financially by skimming funds from contracts awarded to theirs or their associates' districts, or by demanding kickbacks from contractors.

SECTION V

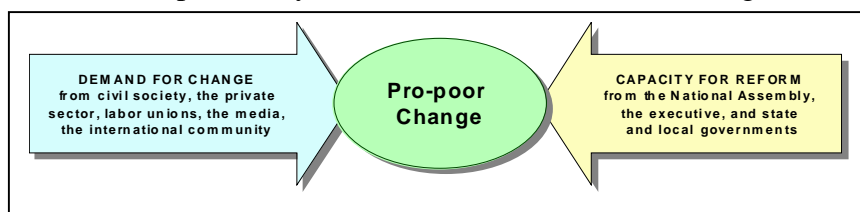# Points of Entry and the Catalysts of Change

Building on the identification of constructive roles that the Nigerian National Assembly should play in national poverty reduction processes (section III) and the enumeration of factors that promote and constrain Assembly activity (section IV), this section highlights points of entry for engaging convergent factors that would enable the Assembly to act as an effective driver of pro-poor change. It suggests specific catalytic processes that could encourage the alignment of positive factors to accelerate while minimizing the impact of negative factors, and identifies motivated and well-positioned individuals and institutions (Beacons of Hope) in the Assembly and other domains that could be logically engaged in these processes.

POINTS OF ENTRY

Although the capacity of the Nigerian National Assembly to pursue pro-poor actions or agendas is inevitably shaped by the informal networks and institutions that permeate Nigeria, these networks are neither monolithic, nor do they foster identical incentive structures. Rather, the alignment of certain institutional authorities, individual personal or political interests, and a genuine desire to improve the lives of Nigerians, create specific points of entry. If pursued in the short- and medium-term, these points of entry could enable the Nigerian National Assembly to be a dynamic driver of pro-poor change in the medium- to long-term.

Point 1:   The ability of the Nigerian National Assembly to affect multiple drivers of pro-poor change

As detailed in section III, technical assistance and constructive domestic pressure on the National Assembly to pursue a pro-poor agenda could facilitate several of the catalysts needed to empower actors in other drivers who were previously unable to achieve effective change due to legal barriers. To achieve pro-poor change, the powerful demands of non-state actors must be met with a matching capacity for reform within the Assembly.

*Unlocking the barriers***:** Although the international community can exert some pressure for pro-poor reform, constructive demand for poverty alleviation measures must come from actors within Nigeria. Over the past four years, civil society, the private sector, and other non-governmental actors have made increasingly virile demands for government response to their input, and for accountability for targeting resources to promote inclusive economic growth. Ultimately, the Assembly should be able to filter inputs more effectively from other drivers into the policy-making process when non-governmental actors perceive the legislature as a federal body with both the expertise and the commitment to respond effectively to poverty-related concerns. Executive branch recognition of the Assembly as a parallel power structure, with whom intense controversy is likely to be counter-productive, could be complemented by discrete

moves by the Assembly to remove obstacles to public access, increase internal policy capacity, and demonstrate commitment to pro-poor reform (through a pro-active approach to individual poverty issues), thus strengthening incentives for actors in other domains to engage with the Assembly. Increased advocacy capacity among civil society organizations would complement greater Assembly capacity by further elevating social demand for pro-poor reforms.

Point 2:   The legislative budget processes and Assembly mechanisms for monitoring public expenditure

In the context of Nigeria's need for more strategic allocation and monitoring of public expenditure, the National Assembly's desire to demonstrate its independence converges effectively with legislators' interest in executive implementation of fiscal plans to make budget allocation and expenditure monitoring processes viable points of entry. The precedent for legislative independence and inquiry into executive expenditure was established by the 1999-2003 Assembly, which not only resisted presidential attempts to dismiss the legislature's authorities but vigorously investigated and protested the president's implementation of the 2001 budget, particularly the non-implementation of specific constituency projects. Motivated in large part by concern for projects in their own constituencies, legislators' involvement in the development of fiscal plans and their insistence that the president adhere to such plans can, in the long-term, drive demand for more efficient use of national resources and reinforce governing institutions' accountability to the poor. Greater understanding of medium-term poverty reduction and inclusive economic growth will gradually counter the Assembly's present tendency to append constituency project line items that cause the budget to exceed anticipated revenues.

Unlocking the barriers: Rooted partly in executive perception of the National Assembly as ill-equipped to analyze and understand the implications of fiscal data, executive offices have, to date, shared insufficient information regarding revenue or expenditure with relevant Assembly committees. This lack of information creates a barrier to Assembly-driven pro-poor change because it isolates Members with enthusiasm for oversight of pro-poor expenditures from the information required for effective analysis. Systematic institutional development would facilitate the Assembly's ability to hold the executive accountable for implementing pro-poor policies and expending funds in accordance with budgets. A reordering of the Assembly's appropriation processes so that ministerial reporting on previous expenditure is directly tied to approval of budgets for the following fiscal year, could also stimulate greater executive willingness to account for prior expenditure to relevant committees. The emergence of civil society networks demanding pro-poor budgeting and verification of pro-poor expenditures and results could also reinforce the Assembly's political will with respect to these functions. The Assembly's capacity could be substantially increased, and the playing field with the executive leveled, if current plans for a legislative budget office come to fruition.

Point 3:   Individual Assembly Members' pursuit of anti-poverty measures for constituents

Individual Members' pursuit of anti-poverty measures on behalf of their districts serves as a potential point of entry because it unifies the national need for attention to region-specific poverty issues; pre-existing constituent expectations that Members pursue infrastructure or other development projects for their district; and Members' authority to influence budgetary

allocations, monitor resource expenditure in their districts, or introduce specific legislation. In the previous Assembly, many Members lobbied for infrastructure projects for their constituencies, and some established well staffed constituent services offices to facilitate citizens' access to public services and ensure equitable treatment by public officials. Some proactively increased awareness about issues such as HIV/AIDS at the grassroots and nationally. Greater familiarity with the relative impact of systemic shifts in policy, legislation, and allocation of resources, and the individual skill sets needed to achieve these corrections, would leverage members' willingness to pursue a series of pro-poor projects to increase systemic poverty alleviation measures.

Unlocking the barriers: Increased capacity to apply the various authorities of an Assembly Member to affect pro-poor changes at a district level (strategic appropriation, specific expenditure oversight, pursuit of regional-issue legislation) would enable individual members of the National Assembly to more effectively extend the resources available to the poorest constituents.

Point 4:   Weak formal structures within the National Assembly enable reformers to have substantial impact

Pro-poor activities will likely be driven by individual members of the National Assembly in the short-term, either as chairmen or members of committees responsible for sectors which directly affect human development, or as vocal spokesmen for specific issues. Although the highly individualized nature of Nigerian political institutions is seen by many as a barrier to efficient pursuit of pro-poor agendas, it also creates space in which individuals with enthusiasm for poverty alleviation measures can have significant impact. The authority ceded to committee chairmen, constitutional potential for individual legislative action, weak party discipline, expectation of constituents, and prolific media coverage contribute to an environment in which a group of individual members with sufficient cooperation from Assembly leadership and access to adequate resources and backing can move pro-poor reform. This is partly reinforced by the results of the April elections in which only 20 percent of the Members were re-elected. For some members, these elections demonstrated that a lack of pro-poor performance can have adverse consequences in election years; for others a recently renewed mandate may provide the comfort zone they need to pursue poverty policies or reforms.

> **Individual Members Pursue Legislation with Nationwide Impact**
>
> In fall 2001, one Representative concentrated her efforts on the development and introduction of a *National Social Security Board Bill*, holding a public hearing on the content of the legislation that November. Similarly, a Senator drafted legislation on regulation of the police, while an informal caucus of women MPs agreed to coordinate their efforts to prevent traditional violence against women.

Unlocking the barriers: Most observers believe there will be an incremental but significant increase in appropriately motivated Members, many with substantial professional expertise, in the new Assembly to be convened in June. Technical and organizational support for those Members who demonstrate interest and capacity for pro-poor change will be critical to achieving positive change in the short-run.

CATALYTIC PROCESSES

The following, mutually reinforcing, catalytic processes could be pursued in the short-term and would increase the practical understanding and expertise needed by the Assembly to fulfill its allocation, expenditure management, evaluation, and accountability roles. Such processes would also enhance cross-driver relationships and facilitate collaboration to overcome barriers or combine capacities in pursuit of pro-poor change. Since the results of the recent elections may have strengthened the aforementioned entry points, it will be important to initiate processes that align and strengthen these factors quickly, before the incentives are eroded by inertia and reversion to the inhibiting patterns of behavior manifest over the past four years.

Catalyst 1. **Assembly Owned Strategic Planning Process -** Strategic planning for medium-term development of the Assembly capacity that engages Members, staff, and stakeholders in the executive, the private sector, and civil society.

A strategic planning process could provide Members the opportunity for improved comprehension of the Assembly's constitutional mandates as applied to national poverty alleviation; better ability to use Standing Rules to pursue regional priorities through Assembly processes; familiarity with financial and administrative rules and systems that are intended to ensure efficient accountable use of national resources; better understanding of the skills and expertise that could be gained by professional development programs for Members and staff; and appreciation of the need for this capacity to engage in best practices for legislation, oversight, and representation.

Broad participation by Members and staff, and consultations during the planning process with executive officials and leaders from civil society (including media) and the private sector, would generate political support for Assembly adoption of a strategic plan and help create effective demand for its implementation. A strategic plan could serve as an Assembly-owned roadmap for channeling internal resources and assistance from external sources to self-identified priorities.

> **Assembly Efforts to Improve Internal Capacity**
>
> The Assembly has begun to address some of the institutional shortfalls that inhibit its performance. In 2001, it legally established a National Assembly Services Commission, which has taken initial steps to improve staff qualifications and motivation, and has embraced the use of graduate interns and engaged professional experts from civil society to complement staff resources. Members also developed and adopted a five-year strategic plan to build the Assembly's information technology (IT) infrastructure and training capacity, and created a joint Senate/House Information Technology Committee responsible for setting policy. In May 2002, Phase I and II of the IT system were launched, consisting of a 1,000-user server and local area network, and a research and training center that has conducted training for Members and staff. The combined impact of these factors could be reinforced and enhanced if integrated into a medium-term National Assembly development plan for efficient, systematic use of its resources.

Catalyst 2. **Assembly Owned Committee Strengthening Program -** Adoption and implementation by select committees of mid-term work plans for addressing in-depth a limited number of issues that are most critical for poverty reduction and inclusive economic development, and provision within the plans for sustained consultations with pertinent executive officials, and institutions and individuals in civil society and the private sector.

With on-the-job access to technical support and professional expertise to develop and implement specific work plans, committees would be able to present cogent reports and recommendations to

the Assembly, and could effectively lobby peers in the Assembly and the executive for adoption of recommendations. Because of the current scarcity of such resources within the Assembly, assistance from external sources (e.g., Nigerian professional experts) would be needed, limiting the first phase of the program to a few committees with jurisdictions most critical for poverty reduction and inclusive economic development. Committees should be selected from among those concerned with budget, finance, privatization, education, health, security, small business development, and smallholder agriculture and rural development.

If committees initially select issues to which the executive is already committed, the potential for collegial interactions with executive officials would be increased. Committees would most likely attract sustained attention by civil society and the private sector if they select issues that are high priorities for these stakeholders and if the stakeholders are already mobilized to advocate the issues. In addition, committees are most likely to secure effective political support for recommendations if supporters in civil society and the private sector are positioned to influence public opinion and executive officials and/or have ties to blocs of voters at the grassroots.

Sustained engagement and consultations with pertinent leaders and institutions in civil society and the private sector would increase the expertise available to the legislature and generate political support for implementation of the committees' recommendations. If undertakings by committees during the initial phase of the program are given a high profile within and outside the Assembly, the reports they submit and the results they achieve would strengthen effective demand for similar steps to increase the role of the committee system as a whole.

<table>
<tr>
<td>

Privatization: Potential Issue for Committee Strengthening Process

Privatization is a high priority with strong potential for reducing access by informal networks to national resources now administered by state-controlled enterprises. Privatization of key parastatals would reduce the percentage of public resources absorbed by recurrent governmental expenditures (now more than 80 percent), free funds for pro-poor investments and increase employment over the long-term. The private sector and professional experts are demanding attention to privatization of large state-controlled enterprises, and there is widespread public demand for more efficient services (e.g., NEPA, petrol refineries) and transparency in the sale of state interests. The Assembly has an important role to play in ensuring consideration of alternative approaches to privatization, mitigation of negative impacts on workers, and vigorous oversight of implementation of privatization by the executive. Media coverage of committee deliberations and recommendations would also contribute to public understanding of short-term and long-term implications of well-conceived, transparent, accountable privatization.

</td>
<td>

Primary Education: Potential Issue for Committee Strengthening Process

Access by all Nigerians to quality primary education is a top priority for poverty reduction for the executive and civil society, including faith-based organizations, an education sector network with member organizations throughout the country, and networks organized for pro-poor budget input and monitoring. However, substantial increases in the budget for primary education might impact budgets for higher levels of education, at least in the medium-term, and workers in higher-level institutions are lobbying for increased budgets for higher education. Committees could drive support in the Assembly for appropriations for primary education, scrutinize budgets to ensure that appropriations for other levels of education are not unreasonably affected, and collaborate with civil society to verify results actually achieved by funding for primary education. The Assembly could also contribute to public understanding of choices that must be made to focus a critical mass of resources on top priorities.

</td>
</tr>
</table>

Catalyst 3. **Targeted Technical Assistance for Constituency Services -** Strategic assistance to new or returning members interested in building a strong voter base through pursuit of poverty alleviation measures and demonstration of accountability.

In addition to Assembly Members' ability to pursue poverty alleviation agendas or legislation through the committee system, a dynamic pursuit of national pro-poor change will require them to identify and strategically pursue constituency-specific priorities as well. With little precedent for meaningful constituency services or accountability to the electorate, Members and their staff are poorly equipped for these activities. A program of technical assistance that fosters the skill sets required to identify local priorities, select and bring to bear appropriate legislative tools, and maintain open channels of communication with local organizations and experts as well as district constituencies would do much to enable the Nigerian National Assembly to more effectively represent the diverse needs of Nigerians in all states. Such a program would likely include individual components for both Members and staff, as each has a separate role to play in effective constituency servicing. Dialogue between Members engaged in constituent services and pertinent committees would also increase understanding within the Assembly of the differences in relative national impacts between a series of pro-poor projects and systemic shifts in policy, legislation, and allocation of resources.

Catalyst 4. **Facilitated coordination among champions of pro-poor change -** Strategic assistance to new or returning members with enthusiasm and capacity for pursuing pro-poor change through legislative reform or application of oversight prerogatives

The impact of individual champions of pro-poor reform will increase with the development of mechanisms that facilitate the coordination of their efforts. Committee memberships offer one natural means of identifying Members with common issue interests. The fluidity of committee assignments, however, may elevate the role of other parliamentary groupings such as caucuses, taskforces, or working groups in the short-run. With tacit approval of Assembly leadership, concentration on the development of internal coordination mechanisms for members with similar interests or constituency priorities could multiply the capacity of these champions to achieve tangible pro-poor legal or regulatory reform. The most productive coordination mechanisms would emphasize ways in which like-minded members could pool staff support, political capital, or other resources to achieve common goals.

BEACONS OF HOPE

Activities illustrated in text boxes and cited in the main body of this paper are evidence of some of the positive factors that could be aligned to promote pro-poor reform and, in that sense, are beacons of hope. Section VI (consultations) lists individuals and spokespersons for institutions notable for their commitment to pro-poor change, many of whom might be engaged with the Assembly in the catalytic processes described above.

SECTION VI

Areas for Further Exploration – Ownership & Political Will

Significant long-term pro-poor results will depend fundamentally on sustained constructive engagement of key actors and institutions in the Assembly with the executive, civil society, and the private sector. Section V of this paper summarizes points of entry where factors within and among these groups have gathered sufficient momentum that, if strengthened and aligned to be mutually reinforcing, could accelerate national pro-poor reform. These discernable trends provide a baseline level of confidence that would justify supporting catalytic processes that could accelerate this alignment. Phase two of a Drivers of Change initiative with the National Assembly would therefore work to determine the specific pro-poor activities that key new actors in the Assembly and other drivers are committed to pursuing, and develop plans to build the capacity needed to pursue them.

To accomplish this, the second phase would principally consist of a series of strategic-planning consultations with actors in each domain, as well as identification of champions of pro-poor change within the newly elected National Assembly. These would be carried out over a period of four to six months, June to October or November 2003.

ANTICIPATED OUTPUTS

- Identification of the pro-poor aspects of the new National Assembly's agenda through consultation with senior leadership and other key actors in the new Assembly.
- Endorsement (explicit or implicit) by Assembly leadership for capacity building efforts designed to enable the Assembly to effectively respond to demands for pro-poor change.
- Identification of a cadre of individual Members who demonstrate commitment to poverty-alleviation and proactive participation in catalytic processes that would enable the National Assembly to become more responsive to the needs of the poor.
- Enumeration of specific pro-poor agenda items or activities that fall within the previously identified points of entry and catalysts of change, and that key actors within the Assembly and other domains hope to pursue.
- A strategic plan for immediate pursuit of these specific items or activities, as determined in consultation with key actors.
- Identification of specific committees or other groupings with which to pilot catalytic processes inside the Assembly, and of initial activities as time and resources allow.
- Commitment of a sufficient number of key actors to generate confidence that facilitation of catalytic processes will have the anticipated results.

KEY ACTORS FOR STRATEGIC CONSULTATION INCLUDE

Within the Assembly: New Assembly presiding officers, party leaders, committee chairs, chair of the National Assembly Services Commission, and senior Assembly staff – chairs of all committees for the strategic planning process; chairs of prospective target committees for the

committee strengthening process, e.g., budget, public accounts, privatization, labor and employment, agriculture and rural development, education, and health. Current and former chairs of some committees (e.g., appropriations, public accounts, education, and health). Other Members notable for outstanding constituent services programs and for the expertise and commitment they bring to the Assembly could also be engaged in these processes.

Within the executive: Ministers and senior civil servants from ministries corresponding to the prospective target committee portfolios, Director General of the Bureau of Public Enterprises, Special Assistant to the President for Budget Matters, other senior executive officials with responsibility for executive relationships with the Assembly.

Within epistemic communities: Professional experts and technical experts with strong ties to civil society and/or the private sector, and good working relationships with executive officials, e.g., Lagos Business School, African Institute for Applied Economics, Institute of Chartered Accountants of Nigeria. Some of these professionals will have expertise relevant to strategic planning and/or to the target committees' portfolios. Some of these experts might be engaged as consultants or senior fellows during the processes.

Within civil society: Civil society and private sector leaders, organizations, and networks with interests corresponding to the target committees' portfolios, and locally staffed international NGOs, e.g., Nigerian Labor Congress, Christian Association of Nigeria, Catholic Social Forum, Federation of Muslim Women's Organization, Centre for Democracy and Development, ActionAid, Oxfam, Shelter Rights Initiative, Southeast Budget Monitoring Network, participants in the DFID-sponsored change agents health sector program, Civil Society Action Coalition on Education for All, Nigeria Economic Summit Group.

In addition to these central figures, members of DFID's advisory body for the drivers of change program, authors of drivers of change papers on other domains, staff of donor agencies, and others may suggest additional actors whose input should also be solicited.

APPROACH TO CONSULTATIONS

To develop strategic work plans for pro-poor activities within the Assembly's and other actors' agendas, a first round of one-on-one exploratory consultations could be followed by a second round of meetings in which actors provide feedback on others' inputs. A next step would include consultations with small groups of actors within each domain to encourage brainstorming and collaboration.

Many of these consultations, particularly with actors in the Assembly and the executive, will be political processes that must be approached flexibly and sensitively. Exploratory sessions with Members and staff must be conducted by individuals who are known, respected and trusted.[15]

---

[15] Due to the partisan nature of the Assembly, and the history of rivalry even among prominent Members of the same parties, considerable investigation will be required to identify Nigerians with sufficient stature to command the attention of prominent Members, and who are not perceived as aligned with one faction or another. Preferably these will be individuals who have ongoing relationships with the Assembly.

Phase two implementers must also bear in mind that consideration of strategic planning and processes for strengthening capacity of committees or members to pursue pro-poor aspects of their agendas will necessarily compete with a host of other priority undertakings by key actors in the new Assembly during its first few months of business. Trying too hard to press forward with consultations during this period is likely to result in annoyance and/or lip service, rather than verifiable commitments.

After key actors have confirmed their decisions to proactively pursue pro-poor capacities through individual or small group consultation processes, workshops or leadership planning meetings may be appropriate for developing strategic work plans.[16] Participation by Members and staff, and consultations during the planning process with executive officials and leaders from civil society, media, and the private sector, would generate political support for Assembly adoption of a strategic plan to enhance its responsiveness to the needs of the poor, and help to create effective demand for its implementation.

Given the brief history of an independent legislature in Nigeria and the factors that have constrained the National Assembly's performance since 1999, it is understandable that it has not yet made substantial contributions to pro-poor reform. However, if factors that inhibit the Assembly's development as an agent of pro-poor change are vigorously countered, and if conducive factors are aligned and strengthened, prospects for the Assembly becoming a major driver of poverty reduction and economic development within the medium to long-term are reasonably promising. Consultation with key actors in the Assembly, and across domains, to build consensus, identify priority areas, and conceptualize the means to collaborate in pursuit of pro-poor reform, is the beginning of that transition.

---

[16] Workshops and seminars are often perceived as owned by sponsors, and this is precisely the perception that should be avoided to maximize the Assembly ownership and commitment.