



**State,  
Governance  
And Regional  
Integration  
In Africa**

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Published by the Nigerian Political Science Association, July 2019

## **Economic Development, Restructuring and Legislative Complacency in Nigeria's Democracy**

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### **Abstract**

*Democracy in Nigeria since 1999 has passed through numerous challenges. The essence of democracy is to guarantee economic development to all parts of the country among other things it should include an all-inclusive governance structure that sees the country as one indivisible entity with equal rights and aspirations to greatness. The general clamour for restructuring arising from all manners of marginalization or dissatisfaction with the governing efforts as expressed in the institutional fragility in the country show signs of doubts to the success of democracy on the land. The legislative institution that does representation appear not to have served the people sufficiently. Despite frequent elections, the people are not so happy with the state of affairs in the country. The paper proceeds through primary and secondary methods with liberal democratic theory adopted as method of analysis. The so called dividends of democracy have not been able to address deep rooted frustrations of the people despite claims of adequate representations through the legislative institutions. Citizens in various parts of the country therefore took to their various devices to agitate over various forms deprivations. The consequence is a mutual distrust that gave birth to weakening bond of togetherness and oneness in the country. At the same time, it is the result of weak legislative activities which is the bane of the democracy being practiced in Nigeria. Efforts must be harnessed and geared towards making a stronger legislature that can effectively represent the people in their diverse interests.*

**Keywords:** Economic Development, Restructuring, Legislature and Democracy

### **Introduction**

Economic development is the concern of all governments across the world and peoples globally decided to put their trust under a common wealth first for security reason and then next after that for economic reasons. In other words, at the roots of all governing arrangement or architecture is the economic purpose. Therefore, the first basis for reaction against any government is usually the feeling of dissatisfaction over economic under performance. This, most of the time is the situation that produces harsh economic conditions leading to economic inequality, poor distribution of the wealth of the land among many other economic indices that render the citizens or a section of the them highly disadvantaged.

It is the responsibility of the governing structure to ensure that there should be the equitable distribution of available resources, particularly in democratic societies which Nigeria is one. Under the Nigerian democracy, the legislature plays a

more critical role in the distribution of these resources in addition to what the executive branch does in the governing process. The restructuring clamour as witnessed in Nigeria from the mid-2017 and up to early 2018 appears to be a reaction to the level of dissatisfaction on governmental performance.

The issue being thrown up here is; what is the role of the representative of the people in this whole saga and how has it left the people being represented? The introductory remark made at the opening of the Chatham House (2017:2) Dialogue which discussed the restructuring issue under the speakership of Mallam Nasiru El-Rufai stated thus;

Economic stress and political uncertainty in Nigeria, together with multiple localised violent conflicts and the rise of divisive rhetoric, have reignited debate in the country on how power and resources are shared and managed across the federation of 36 states and the Federal Capital Territory of Abuja. Regardless of ethnicity, religion or socioeconomic status, some citizens are calling for a comprehensive rethink of Nigeria's governance architecture, and are demanding that a process of 'restructuring' takes place. Others argue that improving the current model is crucial before pursuing anything new. It remains unclear exactly what restructuring would involve, what the consequences could be, and how it could be properly and peacefully implemented. Fractious politics and competing interests risk muddying the waters of the current debate.

This paper therefore attempts to highlight the complacent role played by the legislature and how the consequence of this has left the citizens of the country. It also tries to assess the effect on overall nation building efforts.

## **CONCEPTUAL ISSUES**

### **(a) Economic Development**

Economic development is thus a multivariate concept hence there is no single satisfactory of it. Economic development is a process where low income national economies are transformed into modern industrial economies. It involves qualitative and quantitative improvements in a country's economy. Political and social transformations are also included in the concept of economic development in addition to economic changes. Literally, economic development can be defined as "passage from lower to higher stage which implies change".

Charles P. Kindleberger and Bruce Herrick (2014, p.111) point out "Economic development is generally defined to include improvement in material welfare especially for persons with the lowest incomes, the eradication of mass poverty with its correlates of literacy, disease and early death, changes in the composition of inputs and output that generally include shifts in the underlying structure of production away from agricultural towards industrial activities, the organization of the economic in such a way that productive employment is generally among working age population rather than the situation of a privileged minority, and

the correspondingly greater participation of broad based groups in making decision about the direction, economic and otherwise, in which they should move their welfare”.

Kindleberger while making a distinction between economic development and economic developments argues that: “Economic development implies both more output and changes in the technical and institutional arrangement by which it is produced and distributed”. Economic development in the classical era meant: “an increase in the absolute size of annual production regardless of the size of the population, or an increase in the economy’s real income over a long period of time”. Consequently, in the words of Meier (2014), “Economic development is a process whereby an economy’s real national income increases over a long period of time”. This definition fails to take into account the change in the development of population. If a rise in real income is accompanied by faster development in population, there will be no economic development but retardation. Thus, some economists define economic development in terms of an increase in per capita income. Drewnowski (2016) defines development in terms of economic and social welfares, “In the standard of living of the people economic development is supportive and it involves increased per capita income and creation of new opportunities in education healthcare, employment sectors. Development is of limited significance if it does not lead to economic welfare. Economic development implies increased per capita income and reduced income inequalities and satisfaction of the people as a whole”.

In 1970’s redistribution from development became a common slogan. Dudley Seers (1969) raised the basic question about the meaning of development succinctly when he asserted question about a country’s development, such as what has been happening to poverty? What has been happening to unemployment? What has been happening to inequality? If all three of these have declined from high levels, then beyond this constitutes period of development for the country concerned. If one or two of these central problems have been growing worse, especially if all three have, it would be strange to call the result development even if per capita income doubled”. Further, for understanding the meaning of development Goulet (2011) considers three core values as an important basis and guideline:

1. **Life Sustenance: The Ability to meet basic need:** there are some basic needs (food shelter, etc) that are essential for improvement in the qualities of life. So the basic function of economic activity is to overcome people from misery arising from shortage of food, shelter.
2. **Self-esteem:** A second universal component of the good life is self-esteem. Self-esteem refers to self-respect and independence and for development of a country it is an essential condition. Developing countries need development for self-esteem to eliminate the feeling of dominance.
3. **Freedom:** A third universal value is the concept of freedom. Freedom here is understood as a fundamental sense of release from freedom, freedom from misery, institutions and dogmatic beliefs. It refers to freedom from three evils of want, ignorance and squalor.

McGranahan (2012) introduces social factor an important phenomenon in the process of economic development. According to McGranahan, “Development theory is much preoccupied with the rate of social factors as inputs or prerequisite for economic development. It is widely believed that neglect of these factors has been a reason for disappointing rate of economic development. At the same time, it is evident that there is no simple universal law that can be state regarding the economic impact of education, health, housing and other social components”

In addition to the foregoing, economic development includes economic development measured in terms of GDP and its distributional dimension. In respect of this some economist include role of reducing poverty, provision of improving basic needs, goods and services and reduced inequalities in income distribution in the definition of economic development which can be achieved by increasing the rate of production an employment. Thus the development of productive employment is another dimension this is included in the definition of economic development.

Singer and Ansari (2015) define development in terms of decrease of poverty “By economic development is meant not simple an increase in the GNP of a country but rather a decrease in poverty at an individual level. Probably the best indicators of poverty are low food consumption and high unemployment. If these problems are effectively dealt along with development of GNP and with a reasonably equitable income distribution, then and only then a genuine economic development be talked of”.

In 1980 The World Bank outlined the challenges of development as economic development, and joined the views of observers taking a broader perspective when in its 1991 World Development Report, it asserted: “The challenge of development is to improve quality of life. Especially in the world’s poor countries, a better quality of life generally calls for higher incomes but it involves much more. It encompasses as ends in themselves better education, higher standard of health and nutrition, less poverty, a clearer environment, more equality of opportunity, greater individual freedom, and a richer cultural life”. In 1990’s economists defined development in terms of human welfare, better education, low unemployment, low malnutrition, disease, low poverty, more equality etc. and little importance has been given to GDP and its content.

According to Michael Todaro (2011) definition of economic development includes both economic and social choice and suggests that improving standard of living must guarantee economic and social choices and argues that development should “expand the range of economic and social choice to individuals and nations by freeing them from servitude and dependence, not in relation to other people and nation states, but also to the force of ignorance and human misery.

Friedman defines economic development “as an innovative process leading to the structural transformation of the social system” while Schumpeter defines development in terms of a discontinuous and spontaneous change in the stationary state which forever alters and displaces the equilibrium state previously existing”. In 1990’s development economists focused more directly on the development process. Mahbub-ul Haq, a leading Pakistani economist has remarked, “The problem of

development must be defined as a selective attack on the worst forms of poverty. Development must be defined in terms of progressive and eventual elimination of malnutrition, disease, illiteracy, squalor, unemployment and inequalities. We are taught to take care of our GDP because it will take care of the GNP. In other words, let us worry about the content of GNP more than its rate of increase”.

In the United Nations Human Development Report (2014) the same idea was highlighted. The report asserts: Human beings are born with certain potential capabilities. The purpose of development is to create an environment in which all people can expand their capabilities, and opportunities can be enlarged for both present and future generations. The real foundation of human development is universalism in acknowledging the life claims of everyone wealth is important for human life. But to concentrate on it exclusively is wrong for two reasons: First, accumulating wealth is not necessary for the fulfillment of some important human choices. Second, human choices extend far beyond economic well-being”.

Economic development is thus a broad concept which includes both economic and non-economic aspects. Referring to the issue of development Amartya Sen (2013) pointed out that “Development requires the removal of major sources of unfreedom, poverty as well Tyranny, poor economic opportunities as well as systematic social deprivation, neglect of public facilities as well as intolerance or over activity of repressive states”. Thus, we conclude that aggregate and per capita real incomes are not sufficient indicators of economic development. Rather economic development is concerned with economic, social and institutional mechanisms that are necessary for bringing large scale improvement in the levels of living of the masses.

#### **(b) The Legislature**

Is that or arm of government that is charged with the primary responsibility of make laws. It also has the job of changing laws, where necessary. In the United States of America (USA) for instance, the legislature (Congress), is comprised of the Senate and the House of the Representatives. In the United Kingdom (UK), it is made up of the House of the Lords and the House of Commons and collectively referred to as the Parliament. In Nigeria, it is made up of, the Senate, and the House of Representatives (National Assembly), at the Federal level and the House of Assembly at the state level.

While stating that the legislature makes laws, we should not lose sight of such acts as delegated legislation, which normally place limitations on the legislature as the statutory makers of laws. Sometimes, Ministers are empowered to make laws which are legitimate in their own rights. In the final analysis however, these are exceptions rather than the rule.

#### **The Trustee Representation Theory**

The trustee model of representation a model that explains how we should understand the role of representatives, and it is frequently contrasted with the delegate model of representation. Constituents elect their representatives as trustees’ (or

entrust them) for their constituency. These trustees' have sufficient autonomy to deliberate and act in favour of the greater common good and national interest, even if it means going against the short term interests of their own constituencies. They provide solution to the problem of uninformed constituents who lack the necessary knowledge on issues to take educated position.

This model was formulated by Edmund Burke (1729-1797) an Irish MP and Philosopher, who also created the delegate model of representation. In the trustee model, Burke argued that his behavior in Parliament should be informed by knowledge and experience, allowing him to serve in the public interest. Indeed, as he puts it, his unbiased opinion, his nature of judgement, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living... your representative owes you not his industry only, but his judgements and he betrays, instead of serving you, if he sacrifices it to your opinion. Essentially, a trustee considers an issue and after hearing all sides of the debate exercises their own judgement in making decisions about what should be done.

J S Mill also championed this model. He stated that while all individuals have a right to be represented, not all political opinions are of equal value.

### **The Legislature in a Democratic Setting**

The legislature should usually perform its best, as required by a constitution, under democratic governance. This is because according to Best (2014), apart from the fact that legislators are the law makers, they have constitutionally defined functions. These include law making, ratifying the appointments made by the executive, such as ministerial appointments, ambassadors, judges, members of boards and parastatals, etc. at the level of states. They do the equivalent: appointment of commissioners, judges; ratifying members of boards and parastatals, etc. in addition, the legislators approve budgets and control the spending proposed by the executive. In the event of a declaration of war, the executive must seek and obtain the approval of the legislature. The following are some of the features of the legislature in a democratic setting and as can be seen non- democratic setting.

In the event of conflict between the powers of the legislature and the executive, the judiciary interprets the law. As stated above, the powers of the legislature in a democratic system are not ambiguous, as they are clearly spelt out in the constitution. In a non- democratic system however, these functions not be clear enough, as the executive may decide to appropriate certain functions at will and therefore Best (2014) further highlighted the following functions.

### **The Functional Basis of Principle of Separation of Powers**

In a democratic setting the principle of separation of powers is operational, thus the legislature, the executive and judiciary, do not interfere with each other's powers. Even though this may not be achievable in absolute terms, the constitution attempts to keep each arm of government within its range of stipulate functions.

**Security of Tenure**

As stated earlier, there is security of tenure for the legislature in a democratic setting. The legislature is normally dissolved at the end of the tenure, and re-inaugurated after the conduct of fresh elections. The chief executive will not, for instance, arbitrarily dissolve the legislature, even if he is not happy with it.

**The Fair Spread of Electoral Constituencies**

In a democratic setting, there is representative *democracy*. The nation or state is divided into a number of electoral constituencies, and each is represented within the legislative assembly. This is in view of importance of the legislature under a democracy. Thus, it is expected that each section of the country, is represented in the legislature. This is almost unachievable under non-democratic systems, especially of the military type, where assemblies are too small to incorporate such diversities and where the executive councils usurp the legislative functions.

**Parliamentary Sovereignty**

Setting, especially of the Westminster model, sovereignty rests with parliament, which essentially is the legislature. This is premised on the fact that the legislators are direct representatives of their people, and that they are drawn in such a way as to represent nearly every geopolitical expression. This is why parliament has the power to remove the President or Governor (impeachment), if need be. In other words, democracy gives parliament power above all else, even though such powers are checked by other arms of the government.

All of these express the three basic functions of the legislature as demonstrated by Maikasuwa (2017) as law making, representation and oversight. Perhaps these are the key duties that tend to govern the very essence of the existence of all legislatures in democracies globally.

**(c) Restructuring**

The term restructuring has emerged to become a buzzword in the Nigeria political lexicon. It is intended to mean a radical departure from the existing order. It implies a total overhaul or reorganization of what constitute the subsisting structure. Within the Nigerian landscape, restructuring has been interpreted to mean different form of change from the existing order from the perspective of whoever is saying it. While a certain portion interprets it to mean an alteration in the nation's political structure involving the shape and size of the 36 state currently existing including the FCT, others prefer to look at it from the point of view of correcting what they term as the lopsided manner of development that takes place in the country. Some others see it as a call for a correction on the mode of sharing of the national cake or national resources. Impliedly, it refers to them an alteration in the revenue derivation formula which concentrated so much resources in the hands of the federal government to the detriment of the component unit (State Government). This clamor has gone ahead to sharply polarize what has been the hitherto to bond of togetherness and friendship that have put the country together over so many years, previous challenges of civil wars, coups and counter coups notwithstanding. For some, like Gen. Ibrahim

Babangida and some other opinion molders in the Nigerian political landscape, they prefer to see it as devolution of power from the centre to the component units in the country. On the other side, former vice president Atiku Abubakar has mentioned that most state right from creation were not viable and that once the current federation allocations from Abuja is taken away, they might find it difficult to continue to exist and that there is the need to make such states viable in a changed federal system. He feels that powers and resources must devolve from the federal government and that federation allocation as a source of sustenance for states much be deemphasized. (Vanguard, 2017).

Akin Osuntokun, former political adviser to President Olusegun Obasanjo simply saw restructuring as a call for the restoration of federalism-foundational constitution structure to which all Nigerians subscribe as encapsulated in the independence constitution of 1960. This is just a few of the numerous impressions created and shared among various sections of Nigerians. It is their feelings that this could be the way out of Nigerians problems. In another expression, Nasir El-Rufai, the governor of Kaduna State in his views shared at the Chatham house dialogue stated that “some of the advocates have not bothered to define what restructuring means to them: is it devolution of powers, resource-control, regionalism, or even self-determination, or all of these” (El-Rufai, 2017).

### **Revenue Allocation for National Development in Nigeria**

Since 1979, revenue allocation in Nigeria has taken various dimensions. Usman (2007) identified the followings various versions of revenue allocation:

#### **THE OKIGBO COMMISSION 1979**

This commission recommended the vertical sharing of the Federal Account as:

<b>LEVEL OF GOVERNMENT</b>	<b>SHARES %</b>
Federal Government	53
State Government	30
Local Government	10
Special Fund	07

The special fund account was distributed as follows:

Initial development of FCT 2.5%; Mineral producing areas 2.0%; Ecological and other disasters 1.0% and Revenue equalization funds 1.5%.

As for the horizontal allocation, the commission used four principles for the distribution of resources.

<b>Principles</b>	<b>Shares %</b>
Minimum responsibilities of government	40
Population	40
Social development Primary school enrolment	
- Direct enrolment	11.5
- Inverse enrolment	3.5
- Internal Revenue Effort	<u>5.0</u>
	<u>100</u>

Conflict arising from the vertical and horizontal allocations continued to hamper the smooth operation of the revenue allocation formula. In spite of all the tinkering with the system of the States Joint Local Account (SJLGA) to ensure some horizontal equalization of distribution, the conflict between states and the government continued. Thus by 1988 the Revenue Mobilization and Fiscal Commission (1988) was established.

### **THE NATIONAL REVENUE MOBILISATION ALLOCATION AND FISCAL COMMISSION, 1988 (NRMAFC)**

Usman (2007) also stated that among the terms of reference of the above commission were principal ones dealing with vertical and horizontal distribution namely: a. Carry out a periodic review of allocation principles and formulae

b. Ensure revenue sharing arrangements

This gave rise to the following vertical and horizontal revenue allocation recommended by the commission. For vertical allocation it recommended:

<b>Tiers of Government</b>	<b>Shares %</b>
Federal Government	47
State Government	30
Local Government	15
Special Government	<u>8</u>
	<u>100</u>

The special funds to cover the following activities; F.C.T, 1.0%; Stabilization 0.5%; Saving 2.0%; Derivation 2.0%; Development of oil mineral producing areas 1.5%, development of non-oil producing areas 0.5%.

On the horizontal plane, the commission recommended the following:

<b>Principles</b>	<b>shares%</b>
Equality of State	40
Population	30
Social development factor (education, health, water, lands/mass and terrain)	10
Internal Revenue Efforts	<u>20</u>
	<u>100</u>

### **REVENUE ALLOCATION: MAY 1999 TO DATE**

From the recommendations submitted by RMAFC in 2001 to 2004 many decisions were made and revised depending on the volume of clamor against it especially with regards to vertical distribution. The following vertical distribution was agreed to in 2004.

<b>Tiers of Government</b>	<b>Shares%</b>
Federal Government	47
State Government	30
Local Government	<u>15</u>
	<u>100</u>

The constant clamour about the inadequacies of the allocation process at both vertical and horizontal level, led to the widening of the horizontal allocation determinants over time. Historically, from about two to three categories of principles of horizontal allocation at the beginning to ten principles by the 2004 position as follows:

<b>Principles</b>	<b>Shares%</b>
Equality of State	45.23
Population	25.60
Population density	1.45
Internal revenue generation effort	8.31
Landmass	5.35
Terrian	5.35
Rural roads/internal waterways	1.21
Potable water	1.50
Education	3.00
Health	3.00

From the above historical analysis, the issue of vertical and horizontal distribution of revenue in the country has gone through various changes over the years. The underlying reasons for the changes are:

- a. The various changes in the federal structure (changes in number of State and Local Governments)
- b. The military experience
- c. Increase in oil revenue and politics of derivation
- d. The desire of fiscal equalization
- e. The persistent demand for the review of the legislative list and the expansion in the tax power of the State/local government.
- f. The necessity for equity and national development.

With regards to vertical and horizontal distribution there have been demands for changes, especially since the introduction local government as a statutory tier of government in revenue distribution. The various commissions have sought to address the distribution structure with some measure of success. However, the needs to constantly revisit the recommendations of the various commissions have continued. On the horizontal level, new principles of allocations continued to increase especially with specific agitation being introduced into the distribution issues. Thus at present, there are ten principles associated with the horizontal distribution. With time, these numbers are expected to increase, in search for greater equity and development.

### **The Legislature, Economic Development and Restructuring in Nigeria**

Aside from the law making functions, representation and oversight are key to the activities of the legislature in the Nigerian democracy. In the course of carrying out these functions, the very obvious parts that directly affect the citizens are those that include the physical development of the minds, body and soul of the citizens. It implies that, what should constitute a core of the legislative activities should border

on issues of development, particularly, economic development which must seek to address the general welfare of the Nigerian citizens. Egwu (2006) pointed out that a close examination of the bills passed by the two chamber of the National Assembly shows that some of the laws address issues of governance, development and welfare of Nigerian citizens. He added that anti-corruption law for instance addresses the issue of an agency for horizontal accountability and dealing with the menace of corruption which has negatively impacted on development and welfare of Nigerian citizens. The offshore/onshore issue deals with the thorny issues of fiscal federalism. Similarly, Dogara (2017), in an attempt to present a scorecard of the legislature in Nigeria with regards to checkmating corruption and enhancing citizens' welfare indicated how the legislature had made laws setting up the two major anti-corruption bodies and such included;

- i. Corrupt practices and other related offences act 2000 which established the ICPC.
- ii. The EFCC (establishment) Act 2007 which established the Economic and Financial Crimes Commission.
- iii. The Public Procurement Act 2007.
- iv. Fiscal Responsibility Act 2007.
- v. Nigerian Extractive Industries Transparency Initiative (NEITI) Act 2007.
- vi. Nigerian Sovereign Investment Authority (Establishment e.t.c) Act 2011.

Further still on this, Dogara (2017) indicated that annual budgetary process presents a yearly opportunity for the legislature to allocate fund for all sectors of the economy. He stated that the budget is perhaps the most important piece of legislation dealt with by parliament annually. It is the instrument used by legislature to ensure that the needs of the people are provided for. This is despite acknowledging that these powers are initiated by the executive arm through the president and governors (as in the case of the states), as responsibilities that were constitutionally placed on the elected chief executives.

Despite the numerous laws made in various spheres of the democratic process, the legislature, particularly the National Assembly has failed in its activities of guaranteeing good government for the general public. The National Assembly has not performed so well even in its budgetary responsibility which is an annual opportunity to contribute to national economic development. Members of the legislature have only succeeded in advancing personal and narrow agenda using their legislative powers (Egwu, 2006). The annual budgetary provisions have always revealed lopsided development due to uneven allocation and distribution of the available national resources. Passage of the budgets have not only been characterized by accounts of padding as witnessed under the 2016 appropriation exercise but other sharp practices in the conduct of their oversight functions, most of which have tended to compromise the quality of the budgets.

Perhaps it is this condition that has left the populace heavily disadvantaged with no hope realizing any good for themselves. Citizens rather than focusing on the deficit of legislation representation for development, were persistently used against

themselves. People were therefore made to believe that their problem lie with other people from other regions or units of the country. Consequently, the clamour came in various dimensions without any generally acceptable position the restructuring issue should take. Everybody decided to interpret the issue from the direction it will suit their situation. The situation has continued to weaken the bond of friendship and togetherness of the Nigerian federal structure and thereby constituting a serious drawback on the nation building efforts achieved by the founding fathers of the country.

### **Conclusion and Recommendations**

Although economic development is at the centre of the overall welfare and survival of the citizens, that has not been attained by the various people that make up the Nigerian federation. This is despite almost twenty years of democratic rule and representation in the fourth republic. Poverty, disease, illiteracy and poor infrastructure continue to pervade the nation's fabric, with statistics of poverty rising and closing up on 70% of the country's population. This is notwithstanding the legislative representation of the people and the law making functions that endows the legislature with the responsibility of making law for good government and welfare of the citizens. The restructuring issues, both real and emerging, have left the country battered and sharply divided.

The paper therefore recommends that citizens must be made to make their legislators true representatives. This can be achieved through continuous contact with their representatives in the form of regular town hall meetings and consultations that must see the citizens being fitting from the dividend of democracy. Legislators on their own part should ensure higher quality representation that must reflect the wishes of the people so as not to allow dissatisfaction in the political landscape to grow to the level of hopelessness.

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