

CONSTITUTIONALISM AND OVERSIGHT FUNCTIONS OF THE LEGISLATURE IN NIGERIA: A STUDY OF EDO STATE HOUSE OF ASSEMBLY

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Abstract

This study examined constitutionalism and oversight functions of the legislature in Nigeria: a case study of Edo State House of Assembly. The descriptive survey design method was used and questionnaire was used to collect data from staff of Edo State House of Assembly, Civil society organization with legislative- related mandate and the lawmakers. Simple random sampling technique was adopted for the study. A sample of 290 was used for the study. The findings from the study revealed that there was a significant relationship between constitutionalism and oversight functions of the legislature in Edo State House of Assembly, Lack of Established Democratic Culture significantly influence the discharge of the oversight functions of the legislature in Edo State House of Assembly, Personal Interests and Ambition of the Legislators does not significantly influences the discharge of the oversight functions of the legislature and that Interference with Legislative Oversight Functions by the Executive significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly. The study recommended among others that the legislature should be insulated from the influence of the executive and law-makers should be more responsible and responsive to their responsibilities.

Introduction

The role of the legislature in governance and in enhancing the effectiveness of public institutions and service delivery cannot be overemphasized. The legislature serves as an essential component of any democratic government and remains a major factor in its sustenance. Its existence predates the advent of modern democracy, as it has long been recognized as a vital institution for representation and accountability. Historically, the emergence of the legislature dates back to the twelfth century as a product of medieval European civilization, which was later transformed in the age of democracy to suit the needs of contemporary political systems (Egobueze, 2016).

Umeagbalasi (2013) notes that before and after the Second World War, particularly with the decline of colonialism, many nations emerged and adopted constitutional systems that incorporated national legislatures to replace existing governing institutions. This development contributed to the growing importance of legislatures across the world. Consequently, the influence of the legislature has continued to increase, especially as the twenty-first century advances (Egobueze, 2020). These

developments highlight the central role of the legislature in modern governance and democratic consolidation.

One of the most important functions of the legislature in a democratic system is oversight. The term “oversight” is used to describe a range of activities carried out by legislatures to monitor and check the actions of the executive arm of government (Kraai et al., 2017). In Nigeria, oversight powers are clearly provided for in the Constitution of the Federal Republic of Nigeria, as well as in the rules guiding the operations of the legislative houses. These powers enable the legislature to supervise the implementation of policies and projects approved through budgetary allocations. Oversight also involves conducting investigations into matters of public interest and monitoring the performance of Ministries, Departments, and Agencies (MDAs) to ensure accountability and effective service delivery for the benefit of citizens (Njemanze, 2013).

Legislative oversight is largely carried out through the committee system, which serves as a critical instrument for ensuring accountability. According to Egobueze (2018), a committee is a group of individuals appointed by a larger body to perform specific functions on its behalf. In practice, legislative houses establish various types of committees, including standing, special, and ad hoc committees, to manage their responsibilities effectively. Through these committees, the legislature examines how well government agencies implement laws and policies, with the aim of assessing their impact on the public and ensuring compliance with established standards.

Despite the constitutional provisions and institutional mechanisms designed to support legislative oversight, the effective discharge of these functions remains a major concern in Nigeria. In many instances, legislative committees face significant challenges that limit their ability to perform their oversight roles effectively. These challenges are often linked to broader institutional and systemic issues such as weak democratic culture, corruption, nepotism, and limited institutional capacity. In addition, individual and political factors, including personal interests and ambitions of legislators as well as interference from the executive arm of government, further constrain the independence and effectiveness of the legislature.

Given these concerns, there is a need for a systematic examination of the relationship between constitutionalism and legislative oversight, particularly at the state level. This study therefore focuses on the Edo State House of Assembly with the aim of identifying the oversight functions of the legislature, evaluating the extent to which these functions are discharged, and examining how institutional, systemic, individual, and political factors influence the effectiveness of legislative oversight in Nigeria.

Statement of the Problem

The legislature is a central institution in democratic governance, primarily responsible for representation, lawmaking, and oversight. Through these functions, it is expected to ensure accountability, transparency, and good governance. In Nigeria, the legislature is constitutionally empowered to act as a protector of the will of the people and to uphold the principles of the social

contract between the government and citizens (Odinga, 1994). However, despite these constitutional provisions, concerns have persisted regarding the effectiveness of the legislature in performing its oversight responsibilities.

Empirical studies have shown that legislative performance in Nigeria is often constrained by several factors, including interference from the political class, corrupt practices, weak institutional capacity, and dependence on the executive arm of government (Poteet, 2010; Taiwo & Fajingbesi, 2004). These challenges tend to weaken the independence of the legislature and limit its ability to effectively monitor and hold the executive accountable. Although the legislature is widely regarded as the hallmark of democracy and the foundation upon which other institutions of government depend (Benjamin, 2010), its practical performance has frequently fallen short of these expectations.

At the state level, these challenges are often more pronounced due to weaker institutional structures and greater political pressures. In Edo State, observable issues such as internal conflicts within the legislature, weak accountability mechanisms, and declining public trust raise concerns about the effectiveness of the House of Assembly in discharging its oversight functions. These conditions suggest a gap between the constitutional roles assigned to the legislature and its actual performance in practice.

Furthermore, the persistence of systemic issues such as weak democratic culture, corruption, and nepotism, alongside individual and political factors like personal interests of legislators and executive interference, appears to significantly influence the effectiveness of legislative oversight. Despite the importance of these factors, there is limited empirical clarity on how they interact to shape the performance of oversight functions, particularly within the Edo State House of Assembly.

This situation presents a critical problem regarding the capacity of the legislature to fulfill its constitutional responsibilities effectively. Without a properly functioning oversight system, the goals of accountability, transparency, and good governance may be undermined. Therefore, there is a need for a systematic investigation into the nature and effectiveness of legislative oversight and the factors influencing its performance within the context of Edo State.

Objectives of the Study

The broad objective of this study is to examine constitutionalism and oversight functions of the legislature in Nigeria: a case study of Edo State House of Assembly. Specifically, the study aims to: identify the oversight functions of the legislature in Edo State House of Assembly; evaluate the extent to which the legislature discharges its oversight functions in Edo State House of Assembly; examine how institutional and systemic factors (lack of established democratic culture, corruption, and nepotism) influence the discharge of oversight functions of the legislature in Edo State House of Assembly; and examine how individual and political factors (personal interests and ambition of legislators, and executive interference) influence the discharge of oversight functions of the legislature in Edo State House of Assembly.

Research Hypotheses

The following hypotheses are formulated for the study:

1. There is no significant relationship between constitutionalism and oversight functions of the legislature in Edo State House of Assembly
2. Lack of Established Democratic Culture does not significantly influence the discharge of the oversight functions of the legislature in Edo State House of Assembly
3. Personal Interests and Ambition of the Legislators does not significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly
4. Interference with Legislative Oversight Functions by the Executive does not significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly

Literature Review

Legislative Oversight

Oversight refers to the supervision of government activities and the scrutiny of public expenditure to ensure transparency and accountability in the management of state resources. It involves actions such as reviewing, verifying, questioning, and holding the executive accountable (Oyewo, 2007). This is carried out through various legislative mechanisms, including committee assignments, site inspections, parliamentary inquiries, and correspondence with ministries, departments, and agencies (MDAs). A legislature that effectively monitors the executive demonstrates a commitment to good governance.

Theoretical Review

The Principal-Agent Theory, originally developed by Stephen Ross (1973) and later expanded by Michael Jensen and William Meckling (1976), provides a useful framework for understanding accountability in governance. The theory explains the relationship between a principal, who delegates authority, and an agent, who acts on behalf of the principal. In a democratic system, citizens are regarded as the principals because they confer power through elections, while elected officials, including members of the legislature and the executive, act as agents. A key issue within this relationship is the possibility of “agency loss,” where agents may pursue their personal interests instead of the collective interest of the people. This concern makes monitoring and control mechanisms necessary to ensure accountability. Legislative oversight, therefore, serves as an important institutional mechanism through which the actions of the executive are scrutinized to ensure compliance with laws, proper use of public resources, and alignment with public interest.

The theory is particularly relevant to this study as it explains both the importance and the challenges of legislative oversight within a constitutional framework. The legislature, as an agent of the people, is expected to act as a watchdog over the executive, but this role is often undermined by institutional and political factors. Issues such as weak democratic culture, corruption, nepotism, and limited institutional capacity reflect broader agency problems that hinder effective oversight. In addition, personal interests and ambitions of legislators, as well as interference from the executive,

further weaken legislative independence and accountability. From the perspective of constitutionalism, legal and institutional frameworks are meant to regulate the behaviour of these agents and ensure they remain answerable to the people. Applying the Principal-Agent Theory, this study provides a basis for examining how well the Edo State House of Assembly performs its oversight functions and how various systemic and political constraints influence its effectiveness in promoting accountability and good governance.

Empirical Studies

Empirical studies on legislative oversight in Nigeria have largely focused on the role and performance of the National Assembly, with limited attention to sub-national legislatures. Across these studies, there is a general consensus that legislative oversight is critical for promoting accountability, transparency, and good governance. However, the extent of its effectiveness varies due to several institutional and political constraints. For instance, Ayodele and Akanmu (2024) and Ewuim, Nnamani, and Eberinwa (2014) both emphasize the significant role of the National Assembly in governance through lawmaking and oversight functions. Ayodele and Akanmu (2024) highlight practical contributions such as the establishment of key institutions like the EFCC, ICPC, NDDC, and NEDC, suggesting that legislative actions can drive socio-economic development. Similarly, Ewuim et al. (2014) argue that oversight functions have contributed to good governance, particularly during the Obasanjo and Jonathan administrations. However, both studies agree that the effectiveness of legislative oversight is limited by executive interference and weak institutional capacity.

This position is further reinforced by Agbedi, Allen, and Ukachikara (2020), who identify additional structural challenges such as inadequate funding and lack of legislative expertise. Their findings align with those of Ayodele and Akanmu (2024) and Ewuim et al. (2014), collectively indicating that institutional weaknesses and executive dominance remain recurring barriers to effective legislative oversight in Nigeria. While these studies provide strong evidence on the challenges facing oversight functions, they are largely confined to the federal level.

In contrast to these empirical analyses, Jooji (2019) adopts a more theoretical perspective by examining legislative oversight through the lens of principal-agent theory. The study suggests that effective oversight can enhance democratic governance and restore public confidence. Although this perspective supports the empirical findings on the importance of oversight, it lacks practical, context-specific evidence, particularly at the state level.

Ademeso (2025) provides a different dimension by focusing on the impact of legislative oversight on a specific federal agency, the Nigerian Communications Commission (NCC). The study demonstrates that oversight can positively influence policy implementation and service delivery. However, it also cautions that excessive legislative control may undermine the autonomy of regulatory agencies. While this study offers valuable insights into the outcomes of oversight, its focus

on a single federal agency limits its applicability to broader legislative practices, especially at the state level.

A critical synthesis of these studies reveals two major patterns. First, there is strong agreement that legislative oversight plays a vital role in promoting accountability and governance outcomes in Nigeria. Second, there is a recurring identification of challenges such as executive interference, weak institutional capacity, inadequate funding, and limited expertise as major constraints. Despite these contributions, a significant gap remains in the literature. Most existing studies concentrate on the National Assembly, with little empirical attention given to state legislatures. Moreover, while some studies acknowledge institutional and political constraints, they do not sufficiently examine how constitutionalism shapes oversight functions at the sub-national level.

Therefore, this study addresses this gap by examining the relationship between constitutionalism and oversight functions within the Edo State House of Assembly. It provides a sub-national perspective that is largely missing in existing empirical literature and offers a more context-specific understanding of the factors influencing legislative oversight in Nigeria.

Methodology

The research design adopted in this work is the descriptive survey design method which comprises of the use of questionnaires and oral interviews. The population of this study comprised of staff of Edo State House of Assembly, Civil society organization with legislative- related mandate and the lawmakers with a total population of five hundred and seventy two (572). A total of two hundred and ninety (290) which represent 50% of the entire staff of Edo State House of Assembly, Civil society organization with legislative- related mandate and the lawmakers will be sample for the study.

This study adopted the simple random sampling techniques. The simple random technique was used to select two hundred and ninety (290) respondents in Edo State House of Assembly. Simple random sampling technique was used to select two hundred and ninety (290). The Taro Yemeni sampling technique was adopted for this study to determine the sample size.

The method of data collection in this study was through primary sources of data. Questionnaire was designed to solicit data from respondents. This was collected through responses from questionnaires and interviews.

To ensure the accuracy of the instrument, a reliability test was conducted using Cronbach Alpah method with a reliability coefficient of 0.85 which showed that the instrument was highly reliable. Data obtained from the field work through the use of questionnaire were analyzed descriptively based on stated hypotheses using the t-test statistical method.

Results and Discussion

Test of Hypotheses

Hypothesis 1

There is no significant relationship between constitutionalism and oversight functions of the legislature in Edo State House of Assembly

Table 1 T-test analysis for relationship between constitutionalism and oversight functions of the legislature

Source variables	X_1	SD_1	X_2	SD_2	df	t-cal	Sig	Remarks
Constitutionalism	3.29	.71	3.36	.72	193	-.55	.58	S

oversight functions

Source: Primary Data, 2026

Key: X_1 - Mean of distributive Constitutionalism; X_2 - Mean of oversight functions; SD_1 - Standard Deviation of Constitutionalism; SD_2 - Standard Deviation of oversight functions; Df = degree of freedom; Sig = probability value (2 tailed); t -cal= calculated values; NS = Not Significant.

Table 1 presents the summary of t-test analysis on the responses of relationship between constitutionalism and oversight functions of the legislature. The data revealed that items had probability values ranging from -.55 was lesser than the significant value of 0.05 at 193 degree of freedom, indicating that there is a significant relationship between constitutionalism and oversight functions of the legislature in Edo State House of Assembly.

The findings of this study revealed a significant relationship between constitutionalism and the oversight function of the legislature in Edo State House of Assembly. This shows that adherence to constitutional principles strengthen the legislature capacity to delivery on their oversight function effectively. A well-functioning legislature grounded in constitutionalism serves as a watchdog over the executive arm, ensuring transparency, accountability and check and balances within government operation as supported by (Pelizzo, 2013).

Hypothesis 2

Lack of Established Democratic Culture does not significantly influence the discharge of the oversight functions of the legislature in Edo State House of Assembly

Table 2: T-test analysis for Lack of Established Democratic Culture and oversight functions of the legislature in Edo State House of Assembly

Source variables	X_1	SD_1	X_2	SD_2	df	t-cal	Sig	Remarks
Lack of Established Democratic Culture	3.14	.96	3.21	.90	193	-.46	.65	S

oversight functions

Source: Primary Data, 2026

Key: X_1 - Mean of Lack of Established Democratic Culture; X_2 - Mean of oversight functions; SD_1 - Standard Deviation of Lack of Established Democratic Culture; SD_2 - Standard Deviation of oversight

functions *Df*= degree of freedom; *Sig*= probability value (2 tailed); *t-cal*= calculated values; *NS*= Not Significant.

Table 2 presents the summary of t-test analysis on the responses on Lack of Established Democratic Culture and discharge of the oversight functions of the legislature. The data revealed that items had probability values ranging from -.46 was lesser than the significant value of 0.05 at 193 degree of freedom, indicating that lack of established democratic culture significantly influence the discharge of the oversight functions of the legislature. Therefore we reject the null hypothesis and accept the alternative hypothesis which state lack of established democratic culture significantly influence the discharge of the oversight functions of the legislature in Edo State House of Assembly.

The result also showed that Lack of Established Democratic Culture significantly influence the discharge of the oversight functions of the legislature in Edo State House of Assembly, this suggest that when democratic values such as rule of law, freedom of expression and respect for institutional independence are weak, legislative performance suffers. This agreed with Landsberg and Graham (2017), they stated that democratic institutions thrive only when legislators operate within framework of constitutional respect, political tolerance and accountability of the people and well as promote effective service delivery of public institutions.

Hypothesis 3:

Personal Interests and Ambition of the Legislators does not significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly

Table 3 T-test analysis for Personal Interests and Ambition of the Legislators and oversight functions of the legislature

Source variables	$\bar{X}_1$	SD_1	$\bar{X}_2$	SD_2	df	t-cal	Sig	Remarks
Personal Interests and Ambition oversight functions	3.28	.69	3.27	.81	193	-.07	.98	S

Source: Primary Data, 2026

*Key: $\bar{X}_1$ -Mean of Personal Interests and Ambition of the Legislators; $\bar{X}_2$ -Mean of oversight functions; SD_1 - Standard Deviation of Personal Interests and Ambition of the Legislators; SD_2 - Standard Deviation of oversight functions; *Df*= degree of freedom; *Sig*= probability value (2 tailed; *t-cal*= calculated values; *NS*= Not Significant.*

Table 3 presents the summary of t-test analysis on the responses of Personal Interests and Ambition of the Legislators and discharge of the oversight functions of the legislature. The data revealed that items had probability values ranging from -.07 was were lesser than the significant value of 0.05 at 193 degree of freedom, indicating that Personal Interests and Ambition of the Legislators and significantly influences the discharge of the oversight functions of the legislature. We therefore

concluded that personal interests and ambition of the Legislators significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly.

Furthermore, the result of the study showed that personal Interests and Ambition of the Legislators does not significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly. This indicated that some lawmakers prioritize self-serving motives, political gains or loyal to the executive over their constitutional responsibilities. Such tendencies undermine the integrity of the legislative oversight and weaken public confidence in the legislature as stated by argued by Njemanze, (2013).

Hypothesis 4:

Interference with Legislative Oversight Functions by the Executive does not significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly

Table 4: T-test analysis for interference with Legislative Oversight Functions by the Executive and oversight functions

Source variables	X_1	SD_1	X_2	SD_2	Df	t-cal	Sig	Remarks
Interference	3.11	.74	3.14	.83	193	-.04	.98	S
oversight functions								

Source: *Primary Data, 2026*

Key: X_1 - Mean of Interference with Legislative Oversight Functions by the Executive; X_2 - Mean of oversight functions; SD_1 - Standard Deviation of Interference with Legislative Oversight Functions by the Executive; SD_2 - Standard Deviation of oversight functions; Df= degree of freedom; Sig= probability value (2 tailed; t-cal= calculated values; NS= Not Significant.

Table 4 presents the summary of t-test analysis on the responses of interference with Legislative Oversight Functions by the Executive and oversight functions of the legislature. The data revealed that items had probability values ranging from -.0.04 was were lesser than the significant value of 0.05 at 193 degree of freedom, indicating that interference with Legislative Oversight Functions by the Executive significantly influences the discharge of the oversight functions of the legislature. We therefore concluded that interference with Legislative Oversight Functions by the Executive significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly

This findings shows that interference with Legislative Oversight Functions by the Executive significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly. This interference often takes the form of political pressure, manipulation of resources, intimidation which hinders the legislature from performance its constitutional duties independently and objectively. This also agreed with the study of Oloruntoba and Gbemigun (2019), they observed

that in Nigeria, excessive executive dominance erodes legislative autonomy and compromises accountability in governance.

Conclusion and Recommendations

Based on the findings from the study, the researcher concluded that:

Findings from the first hypotheses shows that there is a significant relationship between constitutionalism and oversight functions of the legislature in Edo State House of Assembly, Lack of Established Democratic Culture significantly influence the discharge of the oversight functions of the legislature in Edo State House of Assembly, Personal Interests and Ambition of the Legislators does not significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly and that Interference with Legislative Oversight Functions by the Executive significantly influences the discharge of the oversight functions of the legislature in Edo State House of Assembly. This there has a significance impact on effective service delivery of public institutions in Edo State and in Nigeria in general.

Based on the findings from the study, the researcher made the following recommendations:

1. First, the legislature should be insulated from the influence of the executive, this influence, in most cases, is counter-productive as it is meant to sway the minds of the legislators from the serious business of law-making.
2. Law-makers should be more responsible and responsive to their responsibilities. The excuse that is often given that bills take time to go through the legislature because of lack of quorum is not tenable anywhere in the world.
3. A solution to this ugly trend may be to make the salaries and allowances payable to the law makers vary directly with the number of times they participate in the proceedings at the floor of the house.
4. The leadership of the house should be more financially responsible. Award of contracts should follow due process and be carried out in a transparent manner.

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